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JOURNAL OF
LOCAL ADMINISTRATION OVERSEAS

Volume III · Number 3 · July 1964

Editor's Notes

In February this year the United Nations Economic Commission for Africa issued a Report[1] on a local government study tour which it had organized during the latter part of 1963 to Yugoslavia and India. Its specific object was to enable eight senior officers of Ministries of Local Government in Africa to study conditions in countries in other regions of the world which have had significant experience in decentralization of technical services to local government units.

The report, of some twenty thousand words in length, gives a succinct account of local government conditions and problems in Yugoslavia and India. It considers three major aspects of local government: the basic unit; control, assistance and supervision; and personnel. After a brief conclusion there is a summary giving twenty-five recommendations based on the study tour's observations. The majority of these recommendations are concerned more with general local government problems than with the specific object of the tour, namely decentralization of technical services.

Most local government problems are common throughout the world despite the major differences in the political philosophy and structural organization of the states in which the local government unit lies. The interest is in their methods of solving these problems. The gulf between the communist and the capitalist system is not so great that straight administrative or constitutional solutions in the one may not be of influence or practical value to the other; economic solutions on the other hand are not so easy to transplant from communist to capitalist soil or vice-versa.

The basic principle of local government the world over is to associate the people as fully as possible with the management of all affairs of a local nature. But there are differences in applying this principle of association. The report describes ideas tried out in Yugoslavia and in India which have not generally been applied in Africa. They merit study and consideration but not uncritical imitation.

Of these ideas the most interesting are the practices of "town or voters' meetings", of "referendum" and of "recall". The voters' meeting is the most direct form of common participation of all the citizens in the activities of their council with the object of influencing its work and decisions. It is practised with useful results in both India and Yugoslavia. The meetings are independent

[1] E/CN.14/OAP/17 of February 1, 1964, published by U.N.E.C.A., Addis Ababa, Ethiopia.

political meetings of all enfranchised citizens in the basic local government unit to consider matters of direct concern to the development of their area or their way of life. They are convened by the decision of the council or at the request of a constitutionally established number of the voters themselves. They hear reports on the work of the council, particularly on proposed economic development and on details of the annual budget. They can demand reports on public activities of special interest such as the work of the health services, public transport, water supplies, schooling and allocation of land.[2]

The referendum is more formal than the voters' meeting and its purpose is more restricted. Its aim is to refer a specific question to the decision, by vote, of the whole electorate instead of only the councillors. It may also be used to enable the people to confirm a decision already taken by the council or to make their views known in advance on matters of general or specific interest to them and their area which the council intends to consider. The referendum is called on the motion either of the council or of a stated proportion of the voters.

Naturally the conditions under which these meetings or referenda may be held must be laid down by law very clearly and concisely; otherwise where public opinion is evenly divided on political or tribal lines their indiscriminate use would encourage instability and even anarchy. But town or voters' meetings have in fact proved valuable in both India and Yugoslavia while referenda as practised in Yugoslavia (or for that matter in other countries like Switzerland) have apparently been successful.

The practice of "recall" which appears to be a useful feature in the Yugoslav system has been advocated before now in various conferences on local government but it has never produced any debate. It is a constitutional method whereby the voters can recall, or in other words, remove, elected councillors who have not given service to the public's satisfaction; the object of this is, of course, to guard against councillors who get elected solely to serve their own personal ends of prestige or personal profit and would otherwise be able to ignore public interest for the full length of their terms of office. It is an extreme measure and would seem suitable only in circumstances, which one hopes would be rare, where too many councillors too often have taken advantage of their position to the detriment of their responsibilities to their electorate. In normal circumstances there are less dangerous but equally effective methods of removing councillors after formal and impartial enquiries have found them guilty of irresponsibility.

This report is well worth studying by all countries irrespective of whether they are in Africa or not. Some will find that there is little to learn but much to confirm in their present policies; others, where local government is less mature, will find the recommendations full of ideas which will help them to determine exactly what policies they wish to follow.

[2] For an example in Africa see Basutoland: The Local Government Proclamation No. 52 of 1959. Section 18 reads: "Every council shall call a public meeting of persons living within the council area to be held annually and shall at every such meeting give an account of its activities during the preceding year and its proposed activities for the year following the meeting".

Town Clerks and City Managers: Blood Brothers or Distant Cousins?

by T. E. Headrick

Many years ago the *New Yorker* ran a cartoon which showed a group of middle-class matrons apparently gathered for a weekly meeting of something like the Chamber of Commerce Women's Auxiliary. Their leader had the floor and she was saying "You see how simple it is? All we need to do is to get a city manager and just let him – er – manage". *Punch* has probably never offered a similar cartoon about town clerks who "just – er – clerk", though the title is equally undescriptive of the job. The titles suggest jobs which are quite different, though in fact they are strikingly similar. Yet the different titles strongly hint at such differences as there are.

Some stereotypes

Generally speaking, the town clerk fits neatly into the British civil servant model; devoted to his work; satisfied with suggesting, advising and recommending without ever deciding; shielded from public criticism, responsibility and acclaim; efficient, competent, scrupulous, anonymous. The average town clerk is a solicitor in his late forties; he earns a substantial, though not overly generous, salary. He began working in local government some 20 to 25 years before, probably as a clerk while he articled to the town clerk. He may have begun his articles after coming down with an honours degree from university or he may have begun them directly from public school. Thereafter he was an assistant solicitor and possibly a deputy town clerk before becoming a town clerk about 10 years ago, possibly with a smaller authority than his present employer. He tends to be conservative, cautious and not particularly outspoken.

The average city manager is younger, perhaps in his late thirties. His background is probably lower or middle class; he went to a small college or a state university (but not one of the so-called prestige universities) and then took a graduate course in public administration. His career after that is less easily catalogued. He may have been an assistant city manager, or worked in an urban renewal programme, or for a municipal research organization but somewhere along the line he became either a manager in a small town or an assistant in a larger one. He has probably worked in two or three other cities before taking his present job.

He is reasonably well paid, drawing a salary comparable to that of middle management in a corporation, though the stresses, strains and responsibilities are far greater. And he, too, is somewhat conservative, a political broker rather than an innovator, but with some of the drives to lead, to exert power, to leave his mark which one normally associates with the American business executive. His style is much more that of American businessman than British civil servant.

T. E. Headrick is an American scholar, who, as Fulbright scholar at Oxford, wrote the book "The Town Clerk in English Local Government", reviewed in the April, 1963, issue of *J.L.A.O.*, Vol. II, No. 2, p. 112.

Some history

The markedly different origins explain some of the differences between the city manager and town clerk. The city manager was a reform effort. The city manager was expected to purge local government of dirty politics, enable it to act in the community interest, and create order where chaos had long dominated.

At the beginning of this century municipal government in the United States was shoddy. American cities had suffered long in the aftermath of the Jacksonian revolution ("government by the people and one person is as good as the next"); the able and the educated shunned politics ("that sordid business"); and long ballots with which voters elected everyone from the mayor to the registrar of wills and the absence of serious merit systems enabled handfuls of political manipulators to maintain power, dispense patronage and amass their own private fortunes. When tested by a serious emergency, these city governments generally failed, for they were unable to respond resolutely or act creatively.

In 1909, Richard Childs, a young advertising executive, published an attack upon the long ballot and put together a reform group named simply "The National Short Ballot Organization". His work with this group led him into a number of charter revision movements throughout the country and in Lockport, New York, he assisted in drafting legislation for a new charter, proposed a city manager and gave broad publicity to the idea, one which had been tried in Staunton, Virginia, several years before. Lockport failed to secure approval of the charter, but the idea of a city manager struck responsive chords elsewhere. Sumter, South Carolina, acquired one in 1912, and Dayton, a good-sized city, followed in 1913.

Dayton's experience in adopting city manager government provided a script followed more or less in hundreds of localities throughout the United States in the ensuing years. A small group of industrial leaders, merchants, professionals, and other Chamber of Commerce men coalesced out of mutual outlook and decided to reform the municipal government. They first drafted a city manager charter and started a campaign for its adoption, taking aim upon the inept financial control and poor administration which characterized the efforts of the controlling politicians. They argued that city government could be run just like a business enterprise, built on sound financing with policy made by a small group of elected directors and administered by a professional manager. In Dayton, somewhat fortuitously for the reformers and calamitously for many citizens, the Miami River overflowed its channel and swept through the city about two months before the scheduled vote on the municipal charter. The city government floundered and John Patterson, an able executive and a leader in the reform movement, seized control of the situation and co-ordinated the local and state efforts to salvage the city from its disaster, demonstrating the need for both new and able leadership. In response to this development, the new charter was approved and city manager government installed.

The English town clerk was not similarly sired by tragedy. In the typical British way, the town clerk simply evolved. Town clerks probably existed as far back as the 13th century. Originally, they were the mayor's or the steward's personal clerks, charged with doing what the name implies, keeping rolls, translating and preparing communications, managing accounts and caring for deeds, wills and charters. In the ensuing centuries duties were added, responsi-

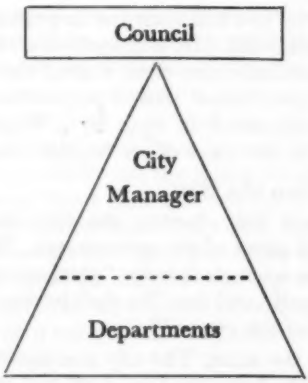
bilities increased, and qualifications drawn with an eye to providing the English local authority with the town clerk of professional standing and competency. He has now developed into the leading chief officer, the one who is expected to co-ordinate the authority work and ensure a smooth functioning administrative machine.

While the town clerk's duties have expanded, they have done so slowly; the break with the past has been gradual. The new town clerk has always fitted within the form of the old town clerk. No major reorganizations of local administra- have accomplished these changes. Quite differently, the city manager system represented an intentional break with the past and was offered by the reformers as an entirely new form of administrative organization.

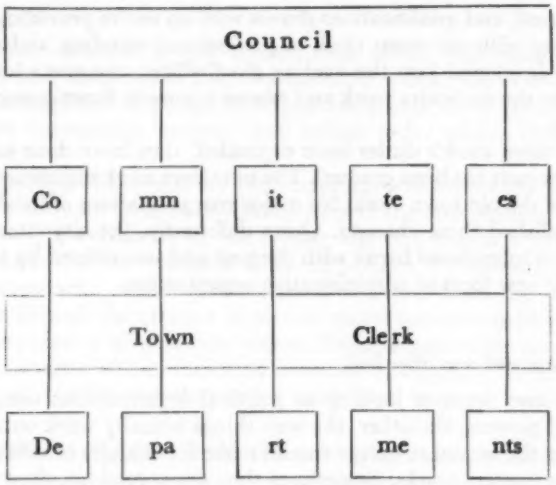
Formal structures and how they look

There are two ways of looking at political organization: one, the formal structure and powers; the other, the way things actually work out. Changes or differences in the formal structure should make for changes or differences in the way the organization works. Sometimes they do, sometimes they do not.

The city manager and the town clerk live in somewhat different formal structures and with different formal powers. If we resort to the picture method, the city manager system looks like a triangle with the manager inhabiting the apex supporting and balancing the council.



The town clerk's administrative abode is of a different sort. The council is broken into many committees with administrative responsibilities and most committees are concerned with the work of a single chief officer and his department (for example, the planning committee, the planning officer and planning department) that carries out the committee's directives.



The town clerk fits in somewhere between the departments and the committees. He, or one of his men, prepares committee agenda, goes to committee meetings, and consults with committee chairmen and officers in the other departments on problems.

Formal powers and how they are used

The formal powers of the two and their use in practice point up some crucial differences, but many similarities. City managers draw their powers from written laws: sometimes state statutes, more often a local charter, which serves as the city's constitution. The town clerks' formal powers stem from their conditions of service, first jointly negotiated in 1949 by a Whitley Council, and some customs well-imbedded in the ways of an English local authority.

I would compare the two like this:

(i) Under the typical city charter, the city manager is charged with supervision of all parts of the government. The conditions of service prescribe that the town clerk is the "chief executive and administrative officer of the council" and that "he shall be responsible for co-ordinating the whole work of the council".

These are not the same. The city manager runs his administration. He is responsible for what goes on in all departments, and if something goes wrong, the council calls the manager on the carpet.

Naturally a manager may be more interested in certain services or certain departments than he is in others, depending on his community's needs, public feeling or his own personal interests. He may trust the judgment or respect the technical competence of some department heads more than others, and allow those he trusts to run their departments without much interference from him. But if the chips are ever on the table, it is the manager who must decide what to do, technical views notwithstanding.

The town clerk is in less of a position to get action from any department head He can certainly call the department head in and attempt to persuade him to do or not to do something. If he is successful, fine; if he is not, then he will have to put the decision up to a committee. More often than not it will be a committee concerned only with that department head's work, whose chairman gets along well with the department head, and whose members respect his judgment almost implicitly. In this setting, the town clerk's views are not likely to prevail, and thus unless he feels very strongly, where persuasion fails, his wishes remain unimplemented.

On the other hand, with his responsibility for committee agenda and minutes and his (or someone from his department) presence at all committees, he can know what is going on in all departments. If he is skilful, he can present his ideas and press his views without forcing a showdown. It is just that if there is a showdown borne of some irreconcilable differences of opinion, he is likely to lose where the city manager would win.

Even the town clerk's conditions of service show this limitation upon his power. He is supposed to be kept informed of all major negotiations relating to the functions or duties of the council carried on by any other officer of the council. Thus, he is not necessarily required to carry on those negotiations nor are the other officers prevented from negotiating on their own so long as they do not keep the town clerk in the dark. The city manager would not lightly regard another officer's activities in speaking for the city administration, and might even try to draw some confining lines around the council's interests and responsibilities in this area.

(ii) A city manager must see that all laws and ordinances (that is locally passed laws) and other procedures established by the local government are adequately enforced. Some charters give the city manager the power to order the city attorney to prosecute an offender or bring suit on behalf of the city. The town clerk not only is supposed to supervise the legal work of the council, he is, in most instances, the city solicitor.

(iii) A city manager generally has the power to appoint, discipline and remove all officials. Some charters only give the manager the power to recommend to the council whom they should hire and fire among chief officials. Whether this restriction limits the manager in practice, of course, depends upon the influence he has with the council. The tendency would, of course, be to allow the manager to designate whoever he wishes since he is the one who will ultimately have to answer for the work of that official.

Even this formal control can lose something in translation to practice. Frank Sherwood has described[1] the tangle in which a city manager in Southern California once involved himself when he tried to fire his police chief. The police chief, a retired naval officer, provided the classic example of a "letter rather than spirit of the law" man. When the city manager finally called for the chief's resignation, he refused; when dismissed, he demanded a public hearing. At the hearing he outplayed the city manager and developed such widespread public

[1] Sherwood: "A City Manager Tries to Fire his Police Chief", Inter-University Case Program, University of Alabama Press, 1963.

sympathy that the council, under public pressure, refused to let the manager fire the chief; so the manager offered to resign. Instead, the councillors, five in all, began to resign one by one. Only after the city administration had wallowed for a month or better in chaos and indecision was the chief fired and the city manager returned. Although in this instance the manager could only recommend dismissal for council approval, it was not the council that inhibited him; it was the public resentment engendered by the hearings. If an official has a sizeable public following or a long background in the community, the manager's power to remove may be an empty one.

Town clerks have absolutely no official power to appoint, discipline or remove any officials. In practice, however, few councils would hire a senior official without getting the green light on him from the town clerk; and still fewer councils ever remove or seek the resignation of a senior official, including the town clerk. Mistakes in the selection of officials are fewer, the quality of officials is better and toleration of relative inadequacy greater in the English than in the American local authority, all of which means the town clerk lacks the power to fire any department head while the city manager almost always has the power in theory and more often than not in practice.

The city manager, perhaps with some limitations imposed by his council, has a good deal of control over personnel work. Thus, he has a continuing voice in the size and organizational structure of departments, the grading of positions, and the qualifications of appointees. In recent years the town clerk has begun to take over, or bring within his influence, establishment work; thus in some measure, though he may not control who gets appointed, he gets his say concerning the size and functions of the departmental staffs.

(iv) The city manager is invariably charged with the duty to prepare and administer the budget. Here is what I think is one of the major differences between town clerks and city managers. The town clerk usually has very little to do with the preparation of the budget. The budget in an English local authority is developed primarily by officers in the spending departments and representatives of the treasurer's department in conjunction with the committee chairmen. Though they may get some assistance from the clerk or a solicitor in the town clerk's department who is charged with a particular spending committee's administrative work, the treasurer is certainly more important than the town clerk in this process. And the finance committee where the treasurer may hold more influence than the town clerk is basically where the budget is finally approved, except in localities where party discipline is quite strong (where neither officer may have much say) or the council small (where the town clerk may dominate).

(v) The city manager advises on the financial condition and needs of the city. Here again in England it is the treasurer, rather than the town clerk, who advises the council on financial conditions and needs. The town clerk may, of course, be involved in negotiations where financial approvals by a central government department or central government grants are at issue; but the financial matters largely lie within the treasurer's scope and the town clerk's involvement is somewhat indirect.

(vi) The city manager is generally required to make reports and recommendations to the council when requested and wherever the manager thinks it desirable. Town clerks generally do the same. There is some dispute whether a town clerk has a right to launch of his own accord upon inquiries and investigations and prepare reports and suggest policies without the request of the council; but by and large town clerks do this. Moreover, town clerks with their continuing contact with committees are more likely than any other officer to look into the broad-compassed and long-term needs of their community and take the lead in developing inter-departmental studies.

(vii) Under the conditions of service the town clerk is charged with carrying on official correspondence with government departments and public boards, conducting all important inquiries and supervising ceremonial occasions – in short, the town clerk is his council's spokesman to the outside world. These duties form a significant part of the town clerk's job and significantly enhance his position. In this respect he differs little from the city manager who negotiates with federal and state agencies for funds, appears before state legislative committees on current legislation of special interest to his community and speaks for his city at ceremonial affairs.

(viii) City managers often have a number of other specific duties imposed on them by charter, such as central purchasing, inventories of personal and real property for the city, and control of public buildings. Some charters even specify that the city manager must provide leadership for civic movements for the benefit of the city when authorized by the council. Town clerks likewise ha dle a number of miscellaneous functions. The conditions of service, for instance, specify that they shall take care of public notices and advertisements, give advice on standing orders, and advise the mayor on all matters connected with his office.

The Councillors and the Professional – the larger picture

The same shibboleth haunts attempts to describe and prescribe the roles of the town clerk, the city manager and their respective councils. The council makes policy; the town clerk or city manager carries it out – he administers.

It is part of the mystique of democracy that the elected do or should make policy and the hired professionals do or should administer it. Only in this way is the idea of government by the people pursued. Both the English and American systems embrace this concept.

American city charters rarely (and wisely) resort to more than a general statement of this division of functions. In England the division is unwritten, but it is better appreciated by the professionals.

Any such attempt at division has its mythical aspects. The terms lack any well-defined content. Their prescriptive use is thus limited. As a matter presents itself for action there is no mechanical separator which sends it to the councillors if it is "policy" or the professional if it is "administration". If the professional and his council get into a hassle over who should have decided what, the terms become the slogans of an advocate rather than devices of description and definition.

Certainly policy refers to matters of larger import and more general application; administration to matters which are somewhat more perfunctory. But often a decision about how to present an argument, how to approach a govern-

ment official, how to inform the public (all of which might be classed as perfunctory) determines whether the programme is a success or failure, whether the programme accomplishes its objective or some other objective, to a greater extent than the decision concerning the sort of programme wanted and how much local money to spend on it.

The latitude of any administrator's initiative and authority depends on how well he can anticipate the wishes of the influential councillors, how easily he can mould his pattern of thought to theirs, or, vice versa, mould theirs to his. In this context general statements about who should take what decisions have a sense of irrelevance.

But beyond the inherent imprecisions in definition of function, some thought should also be given to what special talents the councillor and the professional each have. One of the serious problems facing government today, and local government is not immune from this, is the removal of the irritating frictions between the people and their government. The local resident may be more bothered and thus more concerned, about whether the pavement in front of his house gets repaired than whether the city sewer system receives a much-needed renovation. The pavements will continue to annoy him until they are repaired. An inadequate sewer system may never bother him; and, if it does, it will do so only temporarily, because it will affect everybody else and something will be done about it in a hurry. It is just as much a function of the democratically elected to bring the ill-kept pavements to the attention of the administrators as it is the administrators' job to survey the alternatives, prepare proposals and recommend a new sewer system.

Looking at these matters of roles and duties from the professional's side, some American city charters attempt to build a wall around the city manager to protect him from undue interference by the councillors. For instance, they may require that the councillors deal through the city manager only, or prevent councillors from giving orders to any of the city manager's subordinates, or prevent the council from removing his subordinates. All of these are attempts to focus administration directly upon the city manager and enable the council to fix responsibility directly upon him. The English system does not try to insulate and isolate the town clerk. Committees and committee chairmen often channel their wishes directly to the head of an operating department; the town clerk is informed either directly or by reports from his committee clerks, but he is not the only channel of communication.

The differences in the organization make for differences in the scope of the city manager and the town clerk. In the United States, the councils are small, generally not more than fifteen members, normally less than ten. Councillors are paid, but generally only sufficiently to account for part of their time. In England, the councils are large. They are broken down into a number of committes with administrative responsibility. This is the major difference. The American council meets generally as a council or in *ad hoc* committees which are mainly investigating or public hearing committees. The committee process is used for the purpose of gathering information for its legislative function, rather than arriving at decisions for administrative action. In England, the committees are in effect collective administrators. The committees take decisions which in the United States would be taken by the city manager or his subordinates.

There are other differences between city managers and town clerks in their relations with the councillors, but these differences do not derive from any theoretical concept of their functions. The city manager is more action oriented,

more anxious to experiment and move in some direction even though it may be the wrong one. The town clerk on the other hand is more likely to reflect and consider and prefers inaction to rash and wrong-headed movement. Beyond that, he is more willing to accept his role, to advise rather than manipulate the councillors. The town clerk will defer to councillor opinion simply because the councillors are elected and that is the democratic way. The city manager, partly because he has greater power over the administrative side of the government, partly because he was reform born, is more likely to think that the councillors are inexpert and to trust his own judgment more than theirs. He may as a consequence seek public acceptance of his judgment by hitting the luncheon circuit, cajoling community leaders and talking to the local clubs and neighbourhood associations. By getting public support for his ideas, he may bring "recalcitrant" councillors into his line. But if he presses too hard, they can always play the trump card and send him out to look for another job.

Democracy?

Is the English system more democratic than the American? This is often the conclusion which many suggest. Certainly it is so, if by more democratic we mean that more elected representatives take part in deciding the details of administration, in bringing the lay mind and public sentiment to bear on the month-to-month issues of government. On the other hand, because the councillors do take part in deciding details, because they are unpaid volunteers who have limited time to devote to their work, because each individual councillor's focus is necessarily narrow and specialized and because he sees city government through the eyes of one or two services in the work of one or two committees, the English local authority, fragmented as it is, may be less able to meet the real long-term needs of its community. Good town clerks can piece together the fragments from time to time, but rarely as continuously or as successfully as a city manager can. A city manager can more easily identify problems and insure that they are publicly debated (inside and outside of the council) than a town clerk can, especially when it comes to the long-term needs. Certainly he may misjudge the temper of his community, he may be given at times to act arbitrarily and he may sometimes get away with it. But he cannot act arbitrarily often, for arbitrary action has a way of fomenting reaction in a democratic system, and a city manager who likes his job, who enjoys his community will not usually stir up a fuss unnecessarily. Nor is he likely to ignore for long the sincere wishes of his councillors or the public. He may argue strongly for his ideas, but if he cannot convince, he will not act.

Development Planning in Eastern Nigeria

by Frank J. Moore

To write about the Nigerian Development Plan from the vantage point of the Federation and of the several Regions is a little like the description of an elephant by six blind men. It is the same animal – there is an effective national development plan for Nigeria – but it looks quite different depending on the angle from which it is examined. The purpose of this brief paper is to review the planning exercise in a regional context.

There are significant differences between the requirements, the objectives, and the methods of planning between the Regions and the Federation. This is not meant to imply that there is uniformity between the Regions themselves in the planning process; but the similarities between the Regions are greater than they are between the Regions and the Federation. The experience on which this paper is based was obtained in Eastern Nigeria. An attempt is made, therefore, to underline the special conditions obtaining in Eastern Nigeria and to relate the regional experience to the problems of economic development planning in the Federation described in Dr. Arnold Rivkin's recent article.[1]

The regional setting

Regional governments are responsible for the development of geographic areas which, south of the Niger and Benue rivers, are densely populated. As against this, the Federal Government is responsible merely for the few square miles constituting the Federal Territory of Lagos itself, and thus is primarily concerned with the development of a variety of national services. Agriculture especially is a subject reserved to the regions by the Federal Constitution. Under conditions where approximately 50 per cent. of the gross national product is derived from agriculture – a significant proportion of it from subsistence agriculture – this requires a very special focus for the regional planning process.

Somewhat similarly, the fact that only about 5 per cent. of the total school-age population is a direct federal responsibility in the territory of Lagos and 95 per cent. or more of children of school age live in the regions places a special responsibility on regional planners. In Eastern Nigeria alone, some 800,000 children will finish primary school during the period of the development plan, and provisions will have to be made either to create jobs for them or to provide additional technical or higher education.

From the viewpoint of resource mobilization, the regions have little autonomy. Typically a region raises internally about one-third of its revenue. The remaining two-thirds are obtained from allocations by the Federal Government on the basis of fixed percentage shares from the so-called distributable federal pool. The one-third of the revenue raised within the region is derived from personal income taxes, the levying of which is a regional prerogative and typically

Mr. Frank J. Moore, Ph.D., of the University of California, Berkeley, worked in Thailand, Nepal and Iran before joining the Ford Foundation in 1960. From 1960-62 he was Adviser on Development Planning to the Government of Eastern Nigeria.

[1] Economic Development Planning in the Federation of Nigeria, by Dr. Arnold Rivkin; *J.L.A.O.*, Vol. III, No. 1, January, 1964.

accounts for 75-80 per cent. of internal resources; the balance is made up from a variety of fees and licences, as well as taxes on export commodities. None of these internal sources of finance lend themselves to rapid expansion in the short run. This is especially true of Eastern Nigeria where the level of personal income taxes is already the highest in the Federation. The funds feeding the distributable federal pool are derived from corporate taxes, from import and export duties, from earnings of federal statutory corporations, from excises, and royalties and licence fees on mineral rights. The Federal Government also has the exclusive right of raising loans, both within the country and from abroad.

Economic planning in all developing countries is handicapped by lack of statistical data. Reference to this in the Nigerian context has been made in Dr. Rivkin's article. At the time the plan was being drafted, there were not even reliable population figures. The lack of basic statistical data was especially noticeable in the regional planning exercise, since the little available information generally refers to the Federation as a whole. There is no regional breakdown of those figures which could give some limited guidance in planning, such as for example those on imports and exports. Beyond that, little more than "guesstimates" are available on domestic consumption of some of the more important products, on levels and rates of domestic savings and on the entire subsistence sector, in terms of either yields per acre or of farm income. Virtually nothing is known on the pattern of intra- or inter-regional trade. Some odd pockets of information on employment and productivity in certain selected small industries, baking and shoemaking for example, and some data on isolated sectors such as co-operative and community development activity and on Government and private plantations, were helpful in planning specific projects.

Lastly, in Eastern Nigeria the posts of Economic Adviser to the regional government and civil service Head of the Ministry of Economic Planning were held by a single person, a highly trained and experienced Nigerian economist.[2] This dual appointment greatly facilitated the co-ordination between the technical and policy aspects of planning.

In the federal planning operation on the other hand, there was no structured channel of communication, outside the Joint Planning Commission, for collaboration between the Economic Planning Unit of the Ministry of Economic Development and the office of the Federal Economic Adviser in the office of the Prime Minister. In order to reconcile the policy targets based on the estimates of the Federal Economic Adviser with those of the Economic Planning Unit it became necessary, at almost the last moment, to extend the plan period from the originally envisaged five years to the present 1962-68 six-year period.[3]

The regional planning machinery

The Ministry of Economic Planning of the Government of Eastern Nigeria was established on 1st April, 1960, the beginning of the fiscal year 1960-61. Its first activity was to sponsor an economic survey by a team of three consulting

[2] Dr. P. N. C. Okigbo, author of *Nigerian National Accounts*, 1950-1957, published by the Federal Ministry of Economic Development, 1962; at present Nigerian Ambassador to the European Economic Community and concurrently Economic Adviser to the Federal Government of Nigeria.

[3] Obviously there is no magic in any given number of years set for a development plan; however, an arbitrary change in the allotted time span would seem to weaken the concept of disciplined allocation of resources which is the very essence of the planning process.

economists with the aim of advising Government on priorities of development planning, so as to make the maximum use of the resources of the Region. The terms of reference for this team which worked in Eastern Nigeria from mid-July through September, 1960, included the task of reviewing the policies of Government in all major sectors, in such a way as to examine and report on the impact of these policies on the development of the economy. In particular, they were to report on the balance of effort as between the major sectors of social and economic development; secondly, to study the resources and development potential of Eastern Nigeria and to advise Government on policies that would ensure rapid realization of this potential. The team was asked specifically to indicate their views on the criteria that should guide the Government in framing its Five-Year Development Plan, 1962-67,[4] and to give particular attention to the needs of agriculture and industry, advising Government in as specific terms as possible on the content of the development programme in these two sectors.

The team report *Prospects and Policy for Development of the Eastern Region of Nigeria*, was submitted on Independence Day, 1st October, 1960. While the report was never formally accepted by Government, it did in fact serve as the broad framework within which the plan was developed.

Throughout the planning exercise, the professional staff of the ministry never exceeded seven persons and generally averaged about three or four. Overall direction was given by the Economic Adviser to the regional government working with the author. They were assisted by two or three young assistant secretaries with some formal training in economics but relatively little practical experience. Beginning in mid-1961, two non-Nigerians were added to the staff; one, a young American economist recruited from the Fellowship-in-Africa programme of the School of Industrial Management of the Massachusetts Institute of Technology; the other, a senior statistician made available by the United Nations Technical Assistance Board.

At the same time, a formal co-ordinating mechanism within government was set up with various ministries, in the form of a Working Party on Economic Development under the chairmanship of the Economic Adviser and comprising officials of economic and executive ministries, with co-opted members from statutory corporations. On a ministerial level, a sub-committee of the Executive Council (the Regional Cabinet) began to consider economic policies and problems of general interest related to the formulation and implementation of the development plan.

The planning process

It was clear from the very beginning that the formulation of a meaningful development plan would have to depend to a very large extent on the executive ministries themselves. The function of the Ministry of Economic Planning, for a variety of reasons, was to be largely one of directing, guiding, and co-ordinating the planning activities of the other ministries. This was necessary not only because of a shortage of staff within the Ministry of Economic Planning and their lack of specific expertise in a variety of technical fields; delegation of responsibility for planning was considered essential in order to give the executive ministries a real feeling of participation in planning for development.

A first step in the planning process, therefore, was a circular letter over the signature of the Economic Adviser addressed to all ministries and executive

[4] See fn 3.

agencies, asking them to draft a forward-looking 5-year programme without regard to financial limitations. The purpose of this exercise was not so much to get a realistic first approximation of the development plan, as to get some idea within the Ministry of Economic Planning of the attitudes and understanding of planning in the executive administrations.

The response to this cirular letter was approximately what the planning staff had expected. The most ambitious programmes were presented by the ministries for infrastructure. Works, Health, and Education had traditionally received the lion's share of previous development budgets and frequently carried out their projects through their own staff. Ministries like Agriculture and Commerce, which in previous plan periods had received very modest allocations, came forward with proposals clearly below what a serious development programme would require, and even below what they could hope to achieve with severely understaffed organizations. In any event, it became apparent that executive capacity would likely be the most serious limiting factor in setting realistic targets.

While this preliminary round of planning engaged the attention of the executive ministries, the staff of the Ministry of Economic Planning independently set up some basic planning guidelines in close co-ordination with the policy-makers and, later on, with the Joint Planning Commission responsible for developing the national planning framework in Lagos.

On the basis of policy guidelines and priorities developed in consultation with the members of the Executive Council and the financial assumptions formulated by the Joint Planning Commission, a framework was established within which specific ministerial proposals could be elaborated in more meaningful detail. In discussions between officials of executive ministries and of the Ministry of Economic Planning, specific targets for the development plan were set in terms of regional requirements, financial resources, and manpower either available or capable of being trained during the plan period.

Once targets had been set in this fashion, the next step was to phase the programmes over the years of the plan. Budget projections were divided into three major groups: the ordinary budget, planned capital expenditures, and lastly recurrent expenditures arising from capital outlays under the plan. The recurrent expenditures generated by investment under the plan will have to be reabsorbed into the ordinary budget at the end of the plan period. It was therefore essential constantly to bear in mind the capacity of the ordinary budget to accommodate these expenditures from ordinary revenue at the end of the plan. Obviously these considerations influenced the proposed phasing of expenditures considerably. As far as possible, capital expenditures giving rise to large recurrent obligations were deferred to the later years of the plan. The full impact of the additional recurrent expenditures will thus not be felt until some of the more quickly maturing projects begin to bear fruit and give rise to additional revenue.

Consideration also had to be given to the financial assumptions underlying the formulation of the plan. Each pound of recurrent expenses saved would permit the investment of two pounds of capital, since it was assumed that 50 per cent. only of capital expenditure would have to be met from regional resources and the other 50 per cent. would, in some way, be obtained from outside the region.

Once the programme had been phased, the next and penultimate step regionally was to reconcile the projects and year by year targets of several ministries dealing with separate aspects of specific programmes. Examples of

this need to reconcile work programmes and bring about as much internal consistency as possible are the necessity to co-ordinate school construction and teacher training, development of nurseries and land clearance schemes for new plantations, the development of fully serviced industrial estates and the schedule of government investment in industries, and other projects of a similar nature.

The final stage in the planning exercise involved two almost simultaneous steps: one, the acceptance of the plan by the Executive Council; and two, the acceptance of the plan by the National Economic Council, as part of a National Development Plan for Nigeria, upon the recommendation of the Joint Planning Commission.

Planning objectives and targets

In the minds of the planning staff, the first post-Independence development plan had a two-fold objective. The first of these was to draft a workable blueprint for the effective mobilization of the Region's resources to bring about higher productivity and an increasing standard of living for the people of Eastern Nigeria. The second and perhaps equally important objective was to gain acceptance for the principles and the discipline required for effective planning in the first as well as subsequent plan periods. In essence, the achievement of the second objective made the Ministry of Economic Planning responsible for a training function.

Economic planning is a new government activity. The use of economic planning as a tool of government was a take-off in a new direction, and many of the concepts of economic planning were unfamiliar. There was, at the beginning, little genuine appreciation of the real meaning of an economic plan. There was little acceptance of the fact that the plan to be meaningful must be a blueprint, or at least a rough outline map, for the disciplined allocation of limited resources for the achievement of specific objectives; that planning, in essence, means choosing, and that some order of priority – of general target area if not specific objectives – must be adhered to in order to make the plan an effective instrument of economic policy. It became necessary to gain acceptance for the translation of political objectives into practically realizable economic targets. At the same time, it was essential to bring about a certain re-orientation in the thinking of the civil service, traditionally more concerned with balanced budgets and orderly administration than with striking out in new directions to formulate and implement imaginative economic programmes.

In the absence of meaningful statistical data, planning targets had to be set without reference to well-defined baselines. They were established in terms of physical units (acres of new plantations to be established, number of technicians to be trained, etc.) on the basis of decisions at the political level of what the primary needs of the Region required, both for purposes of maximizing output with available resources and of creating, to the greatest extent possible, a socially equitable distribution of the output.

On this basis, the highest priorities were assigned to an increase of agricultural production, both in cash crops and subsistence agriculture, to industrial development, and to training of the technical manpower required to achieve specific targets. These regional targets were then incorporated by the Economic Planning Unit of the Federal Ministry of Economic Development into the overall national framework for development planning in Nigeria.

Co-ordination of regional and federal planning

The process of co-ordinating regional and federal planning through the agency of the Joint Planning Commission was essentially that outlined by Dr. Rivkin, except that there was perhaps a greater degree of autonomy both at the regional and federal level than his article would suggest. The process of co-ordination was largely one of keeping the communication channels wide open. Plans in the Regions and in the Federation were then influenced, and as necessary modified, as a result of the exchange of information.

There was from the very beginning complete agreement on the priorities necessary to prepare a meaningful national plan. Within this order of priority, each region had complete freedom to prepare its own work programme and this, as has been shown, was essentially prepared on the basis of a series of separate but integrated projects. The Region kept the Economic Planning Unit informed of its programmes, so that the Federation for purposes of budgetary estimates was familiar with changes in revenue and foreign exchange requirements likely to result from the implementation of the plan. Similarly, the Economic Planning Unit advised the regions of anticipated changes in the overall size of the distributable federal pool, since this amount clearly would affect the regional planning budget.

The national framework of the plan, insofar as it refers to planning in terms of gross changes in national product of per capita income was entirely a federal responsibility and did not, in fact, affect regional planning. From the viewpoint of the Region, this national framework merely was a translation into generally accepted economic terminology of regional plans and anticipated changes in output.

As far as the financing of the regional plan is concerned, it has already been pointed out that the plan was based on the premise that 50 per cent. of the projected capital expenditure would be derived from sources outside the Region. From a regional viewpoint, therefore, and inasmuch as all public borrowing is a federal responsibility, it is a matter of indifference whether the support by the Federation comes from within Nigeria or from abroad. In practice, however, the situation is not quite so simple. Internal borrowing obviously makes a claim on regional resources which might otherwise be devoted directly to regional development, rather than find their way back to the region via the distributable federal pool. In practice also, each region dealing through various foreign aid agencies can pave the way for financial assistance from abroad. Such informally discussed agreements are subject to formal approval by the Federal Ministry of Finance. This is generally given, almost as a matter of course, even though the aid sought directly by a region tends to pre-empt federal claims on outside financing.

There is room in this system for a good deal of give and take. The experience on the whole has been encouraging, and there would appear to have been a minimum of wasteful competition for funds.

A promising side-effect of the planning mechanism provided by the Joint Planning Commission and the National Economic Council has been to strengthen the awareness, both at the regional level and within the Federal Government, that common national problems exist and that joint solutions can be found to mutual advantage. Increasingly during the process of formulating the plan – and also since its implementation – it has been found convenient to establish *ad hoc* committees and formal institutions to deal with common Nigerian problems. Examples of these latter are the National Universities Commission

and the National Manpower Board. In part, their establishment is dictated by financial considerations and exigencies; but partly also, and this has been an encouraging feature, they have grown from an increasing awareness of the importance of national as against merely regional problems. In other words, the planning process has helped to tighten the bonds binding the Federation together. This has led to the growing effectiveness of sub-committees of the National Economic Council, bringing together for discussion of common problems federal and regional ministers of agriculture and education, meeting in rotation in the several capitals.

It is likely that as the implementation of regional plans comes to depend increasingly on funds provided by or through the federal government, the influence of the national planning mechanism at the federal level will be increasingly felt within the regions. Indications, however, are hopeful; there are signs that the federal influence on regional planning will be exercised with restraint and accepted with understanding.

Intra-regional co-ordination

The process of co-ordinating planning activities at the ministerial level has already been discussed. Reference has also been made to the attempts at involving provincial administrations in the planning process. These attempts were relatively unsuccessful. Only one or two out of a dozen or so provincial headquarters made any serious effort to present their views on provincial needs and resources.

The pressure on the small staff of the Ministry of Economic Planning was so great that it was not possible to encourage these efforts by follow-up work with widely scattered provincial administrations; nor indeed, in all fairness, had the requirements of preparing provincial draft plans been made sufficiently clear initially to expect satisfactory returns without much additional guidance. In particular, it had not been spelled out – nor indeed fully thought through – in sufficient detail whether the provincial administration should consider itself the principal co-ordinator of proposals in the various technical fields for which ministries in the regional capital have executive responsibility.

In practice, it became apparent that a good deal of provincial planning actually did reach the Ministry of Economic Planning through the internal administrative channels of the executive ministries. Thus, for example, plans prepared by the Ministry of Agriculture drew heavily on reports submitted by provincial agricultural officers, and similar soundings of provincial needs were undertaken by other ministries.

While there was thus no formally organized way in which provincial, district and local administrations could bring their needs directly to the attention of the Ministry of Economic Planning, it should be pointed out that the final stages of the planning process coincided with the elections for the Regional Legislature. Eastern Nigeria is a functioning democracy on the British model. An elected government is reasonably responsive to popular sentiment. The opportunities arising from Independence, and particularly the challenge of the plan which was then in preparation, were major topics of the election campaign. As a result, there was considerable "yam roots" influence on the planning process through political channels, so that the plan can fairly be said to reflect local needs and popular wishes. In fact, under the circumstances greater emphasis may have been put on what it was hoped to achieve than on practical difficulties to overcome and sacrifices required to do this.

To sound public opinion by means other than the electoral channel, the Eastern Nigeria Government annually convenes a Conference of Leaders of Thought. These meetings are held for three or four days each year in the Regional capital and bring together prominent citizens from a wide variety of activities. Businessmen, lawyers, doctors, teachers, farmers, and religious leaders assemble to discuss government policies bearing on regional problems. While the plan was being drafted the discussions at these meetings had a direct influence on its formulation.

The annual Leaders of Thought conference provides an excellent mechanism for keeping the planners in touch with practical realities. It is to be hoped that these meetings will be continued during the years of implementing the plan, so that an active, alert and well-informed group of citizens can bring their accumulated experience to bear on projects affecting the welfare of the region.

Attempts to mobilize local financial resources have, on the whole and with very few exceptions, been relatively unsuccessful in Eastern Nigeria. Efforts to entrust local authorities with the responsibilities for collecting taxes and rates have generally led to disappointing results, so that the Regional Government had to resume the collections. Educational rates, in particular, are again gathered together with income taxes by the collectors of the internal revenue service and are then re-distributed to local councils through the Ministry of Education.

The Federal Constitution, as has already been mentioned, does not permit the raising of intra-regional loans, so that there is no possibility for the Regional Government to raise funds by means other than the existing tax structure and manipulation of prices paid by the Marketing Board to producers of export crops.[5]

One exception to the difficulty of mobilizing local resources has been the work of the Community Development Division of the Ministry of Internal Affairs. This Division works on a basis whereby the local community contributes all the labour and a share of the capital required for a project, with the balance of capital and technical services being provided by the government. Although these activities have been undertaken on a fairly modest scale, rather substantial amounts of local resources have thus been drawn into investment for development. It is along these lines that the greatest hope for the mobilization of private and other local funds lies. The plan projects a great expansion of community development services.

The approach to development on the basis of locally organized effort is not only desirable but essential for rapid progress. Limited financial resources and the shortage of administrative and technical manpower require that the efforts of the Regional Government be stretched by delegating as much responsibility as possible to local initiative. The process has been started successfully and is likely to gather momentum as success encourages confidence in additional and more ambitious ventures based on local resources, know-how, effort, and enterprise.

Conclusions

In reviewing the problems encountered in the drafting of the Eastern Nigeria Six-Year Development Plan, 1962-68, it is essential to keep a sense of perspective. The mere fact that starting from scratch in 1960, a reasonably consistent

[5] Only palm products (oil and kernels), cocoa, groundnuts and benniseed are subject to Marketing Board controls; of these only palm products are of significance in Eastern Nigeria.

plan could be published in early summer 1962 is a major achievement. The plan was prepared in a ministry which itself was established as late as April, 1960. The ministry was staffed by administrative officers who, with the exception of the Regional Economic Adviser, had little or no relevant experience. They were assisted in the task of preparing the specific projects of which the plan consists by officers in the executive ministries, again without planning experience, for whom this work in severely understaffed offices represented an additional duty over and above their ordinary heavy workload.

It is well to think of the plan as published as a satisfactory first approximation – an outline of suggested solutions to roughly defined problems – which will be refined by stages and over time, as more facts become available and as experience is gained on the job of working along the directions set by the plan.

In order to meet its basic objective of increasing the standard of living of the peoples of Eastern Nigeria and of providing a basis for subsequent plans, it will be necessary to keep the plan under constant review. Planning objectives must be adjusted to changing conditions, some of which may be generated by the implementation of the plan itself. A mechanism for on-going evaluation and review is part of the plan intended to keep the planning process fluid and flexible.

Quite apart from the economic effects of implementing the plan, it has become apparent that the planning process itself has generated a new vitality and enthusiasm reaching down into the villages; it has created good-will and mobilized social forces which will rise to the challenge presented by the development plan and by the need to harness all available resources to the development of the Region. Difficulties and problems will certainly have to be met. The spirit, however, in which the plan was conceived and in which it is being implemented give ground for confidence that it will provide a sound basis for the transformation of the economy of Eastern Nigeria and that the Region in consort with the rest of the Federation will move ahead to a more prosperous future.

The First Basutoland General Election[1]

by J. P. I. Hennessy

Introduction

Basutoland (population 800,000: about the size of Belgium) first came under the protection of Britain nearly 100 years ago when the great Basuto Chief, Moshesh, sought British help in preserving his newly formed nation from destruction by the Boers. Not until 1959, however, did the country receive its first proper written constitution;[2] the Order in Council of 2nd February, 1884, which was the fundamental constitutional instrument until 1959, did little more than constitute the Territory a part of Her Majesty's dominions and grant the Governor of the Cape Colony (later British High Commissioner in South Africa) "all legislative and executive authority in and over the Territory of Basutoland". Nevertheless it marked the beginning of a slow and gradual evolution of the institutions of government: the old 100-member Basutoland Advisory Council, for instance, became increasingly representative in character and shortly before its final dissolution nearly half the members were elected, usually by a rather primitive form of secret ballot. But the general election of 1960, which followed the promulgation of the 1959 constitution, was the first election based on modern British electoral practice to be held in the country. It marked the last stage in that phase of constitution building which had begun in Basutoland in 1956 and which resulted in the 1959 constitution. This constitution, now under review, provides for a diarchical form of representative government with an Executive Council, comprised equally of official and unofficial members, and a Legislative Council consisting of 80 members, 40 of whom are elected from among the 162 members of the nine District Councils, which act as electoral colleges.

The electoral law

The members of the electoral colleges are themselves elected by secret ballot under a law which was the subject of much intensive drafting in Basutoland once the principles of the new constitution had been agreed. This law was based on the 1955 Aden electoral law which is similar in principle to other modern British electoral laws and grounded on U.K. practice. The Aden law was designed for a direct election and a small compact, largely urban and literate population. Many of its provisions were obviously not suited to conditions in Basutoland where the people lived in small villages scattered over a difficult, mountainous terrain, poorly served by roads and communications of every kind, with no radio or national press, no established party system and no experience of the technicalities of electoral procedure. Moreover only half the population were fully literate. At a very early stage therefore it was apparent that the Aden legislation, which had been selected by the constitutional delegation as a model, would require considerable modification. Indeed the first change had already been foreshadowed by the constitutional planners when they had decreed

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[1] This article is largely a condensation of the 1960 Report on the First General Election in Basutoland, written by Mr. Hennessy when Supervisor of Elections.

[2] The Basutoland (Constitution) Order in Council, 1959.

a system of indirect election using the District Councils – the primary organs of Local Government – as electoral colleges.

In spite of certain manifest disadvantages this form of election was regarded by the planners as an essential step on the road to political maturity. They were led to this conclusion by the absence of an organized party system of government, the lack of which makes it difficult for inexperienced electors to agree on a common candidate. In such circumstances a large constituency tends to break up into homogeneous groups each voting for their own local candidate. Thus the member ultimately elected often represents no more than a small group in in the whole constituency. But if the constituency is divided up into a number of smaller areas each of which elects its own representative to an electoral college, the members of that college are in a position to choose the best among themselves to represent the constituency as a whole. As party allegiances develop the need for this kind of indirect election disappears.

The electoral law that finally emerged bore little resemblance to the original Aden model. Among the more important changes introduced to meet specific conditions in the territory were:–

(i) provision for an automatic system of registration in place of the voluntary system, the onus being clearly placed on the government to see that an elector was registered. This change was made because it was thought unlikely that the inexperienced elector would, even with much prodding, do anything to register himself before the end of the registration period. And political parties were too new to the game to be relied upon to see that all their supporters registered: the pressures they exerted came later, when candidates were campaigning, but this was too late to affect registration;

(ii) provision for a modified version of the symbol method of voting in place of the system employed in Aden which was thought to be too difficult for illiterate voters. The Basutoland system, widely adopted in Africa, India and Asia, required an elector to choose between a number of ballot boxes, each marked with the name of the candidate and bearing a coloured card[3] which served as the candidate's election symbol. He was then required to drop a ballot paper into the box of his choice;

(iii) the provision of a proxy voting system for those who were prevented by unavoidable cause or absence, including absence from *Basutoland*, from voting in person. This unusual provision was thought necessary in order to enfranchise the very large number of Basotho (estimated at 43 per cent. of the total electorate) who "commute" to the Republic of South Africa for lengthy contracts of work.[4] The system was suited to a largely illiterate class of worker and was extremely simple: the absent voter completed an official proxy form nominating some person or friend in his home constituency as his proxy. He then sent the form to the proxy. When the latter went to the poll armed with the proxy form he claimed an extra ballot paper in place of the form which he then deposited in a ballot box in accordance with the instructions he had received from the absent elector;

[3] The usual symbols employed elsewhere in Africa were rejected as being too primitive.

[4] Under the system of migratory labour workers were often absent for years at a time on the gold mines in South Africa. The maximum period of absence has been reduced to two years under recent South African legislation.

(iv) provision for a new type of nomination procedure to make things easier for the candidate. The strictly orthodox Aden law had required candidates to make a monetary deposit and then submit their papers to the returning officer in the constituency during certain specified hours on nomination day. In Basutoland provision was deliberately made for a candidate's agent as well as the candidate himself to deliver the nomination paper to a district returning officer in case some calamity befell the candidate on the day.

Another reason for change was that the large number of constituencies (162) made it difficult to find sufficient properly qualified officers to receive nominations in each and there was always the chance of a breakdown due to sickness on the day. It was decided, therefore, to concentrate nominations from all constituencies in any one administrative district[5] into the hands of a district returning officer (i.e. the District Commissioner) and his appointed assistants, although in three districts it was necessary to have more than one nomination centre to avoid causing hardship to those candidates who lived far from district headquarters.

Again, anticipating that some candidates, particularly from the remote interior, might find that flooded rivers prevented them from reaching the nomination centre at a specified time on nomination day or, having arrived might find their papers were not in order and there was insufficient time to return home and correct them, it was agreed that nomination day should be extended from a matter of hours to several days.

Lastly, the nomination procedure deviated from the orthodox in abolishing the requirement for a monetary deposit. It was felt that in a first election the need for a deposit might well frighten off a number of otherwise perfectly good independent candidates and that the object of the deposit could be as well attained by requiring the support of 20 electors in the constituency for each nomination.

The constitution makers had deliberately kept simple the qualifications for the franchise: based on a common roll with no discrimination on the grounds of sex, race, colour or creed, the electoral law required an elector to be a taxpayer, at least 21 years old and lawfully present in the electoral area for a continuous period. A candidate was, in addition, required to be literate in Sesotho. While there was no discrimination against women, the majority did not in fact satisfy the tax qualification for the franchise, since the law requiring payment of poll tax did not apply to them and few paid income tax. Of the 188,000 electors registered only 56 were women.

Planning the election

At the beginning of April, 1959, when what was thought to be the final draft of the Electoral Proclamation was complete it was decided to proceed with the first stage of the electoral process – the registration of electors – pending the final approval of the law and its promulgation. To this end a Supervisor of Elections – an official of the Administration who had been concerned with the constitutional developments of the past two years – was appointed. And since

[5] Districts in Basutoland are not generally as big as those found in East and West Africa. The average District has a population of 85,000 and covers some 1,000 square miles.

he had of necessity to direct much of the work which would, in a bigger Territory with larger resources, have engaged the attention of various government departments it was imperative, especially in view of the extremely tight electoral time-table, that there should be much decentralization. District Commissioners were accordingly appointed district registration officers and later supervised the polling in their districts. They were also empowered to engage and train, under the guidance of the Supervisor, local registration officers and returning officers.

Speed was the keynote in planning. Taking experience elsewhere in Africa as a guide twelve months had originally been envisaged as the shortest possible period required for the necessary organisation and publicity, including the demarcation of constituencies and the compilation of rolls; but this period was eventually reduced by half when over-riding political considerations supervened. This affected the whole subsequent planning of the election. Every one of the many stages of the electoral process had to be compressed into the minimum time possible; preliminary publicity and explanations, so necessary when these events are approached for the first time, had to be reduced to the minimum and carried on along with the actual election process. No account could be taken of the best time of the year, climatically or agriculturally, for polling day, although in Africa this should be one of the deciding factors.

Delimitation

The first task to be accomplished was the division of the nine administrative districts into suitably sized constituencies. As time did not allow the setting up of a delimitation commission the work was entrusted to local committees, which were required to observe the usual criteria in defining boundaries. The committees began by estimating from the tax registers the number of taxpayers (usually synonymous with electors) in the smallest traditional units, i.e. the headmanships. Various headmen's areas were then grouped together to form one constituency, the boundaries being defined as the areas of jurisdiction of the headmen concerned. Since they followed existing traditional boundaries they were soon well enough known. In a few isolated areas headmanships could not be conveniently grouped together, so that it was necessary to resort to the grouping of village areas. The general result was creditable in the circumstances but could not be compared with the work of a delimitation commission, for which there is no real substitute. The question of multi-member constituencies fortunately never arose.

The country was eventually divided into 162 constituencies with provision in the law for the further sub-division of these constituencies into polling districts if district registration officers considered it necessary. In a number of large mountain constituencies where it would have been a hardship for voters to travel to a single central polling station a further sub-division was made. The guiding principle was that every voter should be able to travel comfortably on horseback from his home to the polling station and back in a day. Sometimes sub-division was made necessary because a large unbridged river between the voters and the polling station.

Registration

Basotho registration officers, selected for their impartiality and given a short course of training, were appointed to each constituency to check at public gatherings the qualifications of all persons in the constituency considered

eligible for registration. In carrying out their onerous task registration officers made use of the fact that the tax qualification in the franchise meant that no one who was not a taxpayer could become qualified. And as nearly all taxpayers were qualified the tax registers could be used as the basis for the preliminary voters roll; any person recorded in the tax register and having the necessary qualifications for the franchise was therefore automatically registered. As a safeguard against omissions from the roll application forms for registration were printed and widely distributed to anyone who might want one.

Although the qualifications for the franchise were comparatively simple, difficulties were nevertheless occasionally met with in registration, e.g., when determining whether a person was over 21 years of age or had spent the requisite residential period in the electoral area. In these cases, where resort to the local chief or assembly failed, registration officers were instructed to use their discretion and rely on the objection procedure for weeding out inaccuracies. In the event there were no objections on the ground of age or residence.

The identification of voters on polling day was another problem which had to be faced during this period. It is generally recognized to be one of the most difficult questions confronting a presiding officer, especially in countries where there is no accepted system of christian names and surnames, or of spelling them. The use of registration "receipts" (usually a card bearing the elector's registration number, name, address and such other particulars as were necessary to identify him) was, however, rejected because they are open to criticism on the grounds of forgery, trafficking, and personation.[6] Moreover the whole system is rendered ineffectual if the voter forgets to bring his "receipt" with him on polling day.[7] In Basutoland it was decided to rely primarily on the vigilance of the public and the candidates themselves. Each polling station also had a representative of the chief of the area who knew a large proportion of the voters; and many of the polling staff were local men who knew the local electorate. There was of course provision in the law for a polling officer to challenge the identity of a voter and require him to make a sworn statement.

The useful tax payment qualification in the franchise, which can be a source of misunderstanding in the registration period, caused little difficulty, but there were one or two complaints of chiefs requiring a fee for registering their people on the electoral rolls. None of these difficulties, however, was ever more than purely local or reached such proportions as to cause any alarm. Indeed the only factor which might have had a bearing on final registration figures was the weather.

Registration began in April and was due to end about the middle of May but was successively postponed as a result of heavy snow storms throughout the hard winter months. During this time those registration officers working in the roadless and mountainous interior between 7,000 and 10,000 ft. undoubtedly suffered severe hardships from snow and near zero temperatures; one luckless soul was even struck by lightning. Fortunately these conditions did not affect registration results but it does emphasize again the need to consider the whole electoral time-table from other than a purely political point of view. For a number of reasons the success of an election in Africa depends much more on the time and season of the year than it does in Europe.

[6] "Administrative problems of Elections in developing countries", by O. M. Bird; *J.A.A.*, Vol, IX, No. 4, p. 171.

[7] In the Transkei election of 1963 an elector could not vote if he forgot his official identity card.

In the absence of reliable and detailed population statistics it was difficult to assess the progress of registration. District Commissioners had estimated from their tax registers at the start of the campaign that there were 266,000 taxpayers in the territory. It soon became clear that this figure was grossly inaccurate and that a number of the registers were hopelessly out of date, many persons who were dead or had emigrated having been left on the tax books. However, the task of estimating the true number proved difficult: some chiefs were said to be reluctant to admit that they might have fewer taxpayers than was shown on their registers and many who should have been removed were not. Consequently by the end of the registration period when approximately 188,000 electors were recorded the percentage registered was given as 70 per cent.: in fact, as was suspected at the time, the true percentage was very much higher. From certain figures made available to the government at this time it was estimated that the total number of Basotho males over the age of 21 was about 188,000. As this corresponded with the number of electors recorded (all but 543 being Basotho males) one must conclude that the vast majority, if not all, of the electorate had been registered.

Fourteen days of tremendous activity followed the end of the registration period. The preliminary lists of electors had to be transformed into compact bound district registers running into thousands of pages and despatched to 40 different destinations in time for the inspection period. Time as always was the enemy. It demanded a procedure for the assembly of names in the registers which was flexible and simple. The first task was to bring the preliminary lists from constituencies to district headquarters (in some cases a journey of two or three days on horseback) where the district registration officer added to them the names of electors who had applied to him for registration. These amended provisional lists were then sorted into headmen's areas within the constituency (the sub-classification had in most cases already been done from the tax registers) thus completing the classification of the voter according to his district, constituency and headmen's areas, each of which had a code letter or serial number. In this way a voter's number immediately located him geographically and, conversely, it only required a voter to say where he came from (this was usually synonymous with his place of tax registration) for his name to be narrowed immediately to that particular portion of the register in which his headman was located. As there were not generally more than a few hundred names under each headman the tracing of names, even if not entered in the register alphabetically, could be done speedily. The majority of names were not in fact entered alphabetically (it was left to the registration officer's discretion) since time did not allow of the necessary sorting and re-typing which would have been required when amendments were made to the register as a result of claims and objections.[8] Given the system employed this was no handicap but in any event it is doubtful whether much would have been gained by an alphabetical list. This is because many Basotho, in common with certain other African peoples, sometimes refer to themselves by their christian names, sometimes by their Sotho names and sometimes by their father's names: sometimes by all three - and depending on the occasion they will sometimes use one name and sometimes another. This can be very confusing to the registering officers who have to record the right names, and only the right names, in the right order - a simple transposition of one name upsetting the whole system. And finally, the

[8] The Kalamazoo strip system used in the 1958 election in Uganda avoids the necessity for re-typing.

large majority of Basotho names begin with one of three letters of the alphabet; many of the older family names now being widespread. It is doubtful therefore, whether an alphabetical roll would have helped much in this election.

The preliminary electoral lists once classified were typed on wax sheets and duplicated. Printing was rejected on the grounds of expense and lack of time – there being no government printer or indeed any commercial printer in the territory. Although rather bulky these duplicated registers were in all other respects as good as printed versions for the job. And when broken down into constituency registers even bulk disappeared.

Fourteen days were allowed for the inspection of registers. 528 claims were received and of these 444 were allowed, the majority being simple omissions from the register. Three days then followed for objections; none were received. Adjudication on claims and objections were dealt with by three adjudicators in each district, the principal chief of the area sitting with two others. The majority of the adjudicators were Basotho and many were court presidents.

Nominations

The revised nomination procedure worked well and there is no doubt judging by the standard of many of the nomination papers that the modifications introduced into the law were necessary. Many nominations that might otherwise have been rejected outright by local returning officers were, in consultation with the district returning officer, corrected and re-submitted. The extension of the nomination period to three days was also fully justified by events. Of the 447 candidates presented for nomination very few had negligible support and conversely in only a few constituencies were more than five candidates presented. It appears therefore that the absence of a deposit requirement had no harmful results and the procedure introduced in its place had the effect intended. Identifying colours were usually issued to candidates on an agreed basis by the district returning officer at the end of the nomination period, it having already been settled at a conference of political parties early on in the planning period that these should not be issued on a party basis. This was as well for in a number of constituencies more than one candidate claimed allegiance to the same party. In these circumstances it would have been an invidious task for the returning officer to decide which candidate had been officially sponsored by the party and which had not. Nevertheless Congress candidates asked for and wherever possible were usually granted green as their colour while their leading rivals, the National Party candidates, usually asked for and obtained blue – indicating a conservative outlook. The majority of candidates (188) stood as Independents although most of them probably had party leanings if not actual affiliations. This was to be expected in a country until then unused to party organizations. Indeed many candidates admitted that if they had stood on a party ticket they would have forfeited votes. The next largest group of candidates (125) supported the Basutoland Congress Party which was probably the most active and best organized of the size in the field. They were followed by the National Party with 77 candidates, the Marema Tlou Party with 51 and the Progressive Party with six.

The election campaigns which followed nominations were, with a few exceptions, on a modest scale, candidates tending to confide in the electors that they would be happy to represent them if elected and leaving it at that. This, too, was not surprizing in view of the suspicion in which political parties were still held in some areas.

Polling

The usual difficulty of trying to estimate how many electors were likely to realize their responsibilities by going to vote on polling day presented itself early on in the planning period. Until this question is answered of course it is difficult to know what arrangements to make in the way of polling stations and staff. Matters were complicated in Basutoland by the fact that an unknown but certainly considerable percentage of the electorate was absent from the territory working in the Republic of South Africa. Most were unlikely to return though some might vote by proxy. Since there was no way of arriving at a satisfactory answer certain steps were taken to ensure that the system was sufficiently flexible when the time came for polling. For instance, provision was made in the law to allow the polling officer, if he felt that it would be impossible to deal with all the voters present at the station during the last hour of polling day, to extend polling to the following day. Provision was also made to set up in an emergency "double stream" polling stations (that is two fully staffed but adjacent stations) if it appeared that any polling station was likely to have to deal with more voters than it could easily manage. In this connection the fact that constituency registers had been divided up into sections under headmen made comparatively simple the problem sometimes encountered of ensuring that the illiterate voter at a double-stream station went to the polling officer who would be dealing with his particular section of the register. Arrangements were also made to obtain from magistrates over the border a supply of their ballot boxes for use in an emergency. These safeguards having been taken the most suitable buildings were then chosen as polling stations by district returning officers in consultation with principal chiefs. Furniture was borrowed and the secret compartment for the ballot boxes was rigged up out of hessian screens.

All polling equipment was obtained locally: ballot papers and election forms being designed and translated into Sesotho where necessary in the elections office. Sufficient suitable modern black steel ballot boxes were ordered and a further 200 strong but light wooden ballot boxes, smaller in size, were constructed by the Public Works Department for use in the mountain constituencies, to which they had to be transported by mule.

The poll had been planned in the hope that no polling station would have to deal with more than 400 to 500 voters in the day; staff was therefore engaged on the basis of three to four officials per station: one presiding officer and two or three polling assistants. In addition a chief's representative and a special constable were on duty for the poll. Apart from the advice and guidance of District Commissioners the conduct of the whole poll was entirely in the hands of these officials, all of whom were Basotho.

Polling began throughout the territory at 8 a.m. and in most areas queues quickly formed; but the rate of polling was good and the crowds generally remained cheerful. Flags, banners, badges, loud speakers and the like were prohibited on the day and this undoubtedly helped to maintain the air of calm everywhere. Polling generally ended at 6 p.m. or 8 p.m.; in only a few constituencies was it found necessary to carry on to the following day. Counting began immediately afterwards and results were mostly announced by returning officers to the assembled candidates and others present in the constituency on polling night. It was soon apparent that the Basutoland Congress Party had gained a dominating position and exceeded most estimates by securing 36 per cent. of the votes and winning 73 of the 162 seats. The distribution of these seats amongst the nine District Councils which acted as electoral colleges was such

that the party was able, with a little assistance from the Independent candidates, to control six of the Councils and thus elect 30 out of the 40 elected members of the Legislative Council. The National Party polled a little over half the number of Congress votes and won 22 seats. The Marema Tlou Party polled 8 per cent. of the votes and won 15 seats. The fifty-one successful Independent candidates gained nearly as many votes as all the Congress candidates together. Almost half the electorate in the country voted, which was rather better than expected bearing in mind that this was the first time that the people had voted by secret ballot in a general election. In a day in which the outstanding impression was one of quiet orderly polling, the only matter that called for comment was the question of proxy votes.

In certain constituencies one or other of the candidates came to the poll armed with a large sheaf of proxies which he proceeded to exchange for ballot papers and then no doubt deposit in his own ballot box. There was nothing illegal or underhand about this so long as the proxy had been genuinely granted by an elector who was unavoidably absent. Herein lay the difficulty. In a number of constituencies candidates raised objections with the polling officer against the acceptance of proxies on the ground that the signature on the proxy form had been forged and that the elector who had granted the proxy was not in fact unavoidably absent. Very few objecting candidates understood that in these circumstances it was not the duty of – and the law did not allow – the polling officer to conduct an enquiry into the authenticity of a proxy form which was *prima facie* correct. This was a matter for an election petition. In the circumstances it was only to be expected that some disappointed candidates attributed their defeat to forgery or personation. Six election petitions were presented and although all were dismissed and no evidence was led to prove or substantiate the allegations it is not impossible that forgery and personation did in some cases take place. It would have been a most unusual election if a few candidates had not tried to take advantage of the proxy regulations. But this is not to say that such malpractices were widespread or that they affected the final outcome of the election. Proxy votes constituted only a small percentage of the votes cast and it is clear that they made no difference to the general result. Nevertheless it would not be wise to risk using this system again in subsequent elections.

Conclusion

Within the limits imposed by the time-table, the law and the political experience of the people the election probably succeeded in its object of producing popularly elected councils which fairly reflected the trend of opinion in the country at that time. A number of features will, however, deserve further study before the next election. For instance, reference has already been made to the system of indirect election to the legislature; it is now clear that the original reasons for preferring this system are no longer valid and that the disadvantages that flow from it, viz., the difficulty Executive Councillors have in fulfilling their obligations towards the local District Councils which elected them; the impossibility of getting an outstanding candidate into the Legislative Council if he happens to have lost his seat in the general election; and the unfortunate importation of national policies into the local government sphere: all these disadvantages, added to the fact that much progress has been made in party organiatizons, make a change to a system of direct election desirable. If it is made the question will arise whether a separate electoral roll should be drawn

up or whether the present rolls could be revised and adapted for use in both the central and local government elections. As the difference between the two rolls is not always clear to the ordinary voter and as new rolls are generally expensive there is much to be said for having a common roll, though this usually requires similar qualifications for both classes of elector.

The present electoral rolls are required by law to be annually revised. This is not being done at present because no organization has been set up to collect the information on which any revision must be based. What is required is a small permanent staff in the elections office to collate information submitted by tax offices, the registrar's office, immigration boards, courts and the like, thus enabling registrars to be kept reasonable accurate. This small permanent staff could also usefully undertake all the continuing work of electoral administration, e.g., in bye-elections. When general elections are held it could form the permanent nucleus of an expanded executive authority responsible for the supervision and management of the election. In the past elections have been the responsibility of an official of the administration (a fairly common practice in Africa) but the time has probably come when it would be wise to remove the general control – as opposed to the executive management of the electoral machine – from the hands of the civil service and entrust it to an independent electoral commission working in close association with political parties, but whose decisions would be subject to a reserve power in the hands of the government.

Another consequence of a switch to a direct system of election would be the need to re-draw the present constituency boundaries to allow of fewer and larger constituencies. Although boundary commissions are invariably slow-working it may be possible to speed up and simplify their task in Basutoland by consolidating existing local government constituencies.

The proxy voting provisions will also need revision since they omit some of the safeguards normally considered essential. They were accepted in 1959 as being the best that could be done if the absent electorate was to be enfranchised in time to permit of an early election, but they were nevertheless viewed with some trepidation by government and political parties alike on account of the opportunities they gave for corrupt practices. And while no electoral law can altogether avoid creating these opportunities they should obviously be reduced to a minimum. In this case it means amongst other things that it should not be possible for a proxy to be granted except on oath before a commissioner or other competent witness; in this way the identity of the voter and the reason for his not voting in person can be established. This would go a long way towards eliminating the main avenue of abuse. It is also desirable that a proxy should be delivered by the grantor into the hands of a polling officer and not to an elector who is probably also the candidate. This would close the other main avenue of abuse. But the difficulty about tightening up the procedure in this way – apart from the political obstacles that might be encountered in trying to make the necessary arrangements for voters to appear before Commissioners of Oaths in a foreign country – is that while the process involved is simple in theory it becomes fairly complicated in practice and would not be easy for a semi-literate voter to follow. Indeed it would probably not be any easier for the elector than a system of postal voting. Which system is chosen for the absent elector must depend in part on the general system of voting adopted: if, as in the last election, a system designed for the illiterate elector involving a choice of boxes and symbols is chosen then postal votes would hardly be compatible with it. But if it is considered expedient to ignore the claims of the illiterate

elector postal voting in conjunction with the orthodox system of marking a single ballot paper would be preferable. In considering these questions it is worth remembering that it is very rare (perhaps unique in Africa) to make provision in the law for an elector who is *voluntarily* absent from his country of residence to vote. In this respect conditions in Basutoland are probably unique – and therefore deserving of a unique solution. But in deciding where the balance of advantage lies it is relevant to note that a mere 2 per cent. of the electorate took advantage of the proxy voting provisions in the last election. There were no doubt good reasons for this – lack of time and ignorance being the principal ones – nevertheless the figure is sufficiently small to make one wonder whether expensive and elaborate arrangements are justified for the small percentage of voters living abroad who might make use of them. In theory no voter should lack the opportunity (whatever the cost and difficulties involved) of exercising the franchise; but this theory has hitherto applied to qualified electors resident in the country, or if not resident sent abroad on the government's business. The absent voters of Basutoland constitute a rather special case.

Local Government and Community Development in the Northern Emirates of Northern Nigeria

by G. W. Fairholm

The physical, cultural and social development of its people constitute some of the most important functions of local government in developing countries. Community development programmes to accomplish this take many and varied forms. Programmes official, semi-official and unofficial in character are unconsciously as well as consciously undertaken by the people of developing countries.

Community development programmes in the Eastern and Western Regions of Nigeria have received extensive coverage by commentators. The programmes of community self-help conducted in the Northern provinces have not had so wide a coverage. Indeed, the impression has been left that little is being done in the North. Such is not the case; extensive programmes of community development within the accepted meaning have been undertaken and are currently being undertaken.

For the purposes of this article, community development may be said to include all those programmes designed to secure support and active and personal participation by individuals in a particular project for social and economic benefit.[1] The essence of a community development programme is that the energy and participation of the individual should be secured, guided and directed to socially valuable goals, within the milieu of the particular community.[2]

Community development as defined, therefore, has a political as well as a practical function. The political leaders are often called upon to provide direction and impetus for these mass movements. The programmes are often most effective when applied through government, and the local agencies of government constitute the most acceptable vehicle, often the only possible one, in securing the support of people in the villages and rural areas.

Community development includes self-help and voluntary effort. This voluntary effort includes labour and monetary contributions as well as the efforts of individuals to form youth clubs or promote village reading rooms or simply the efforts of the illiterate peasant to learn to read and write.[3]

Background

The unofficial voluntary programmes and activities in community development in Africa are traceable to the beginning of its cultural traditions. But these programmes often have lacked the necessary technical "ideas" and knowledge necessary to develop satisfactorily the social and political resources of the com-

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[1] "Community Development in Uganda", *J.A.A.*, Vol. II, p. 50.

[2] *Ibid.*, p. 51.

[3] *Ibid.*, p. 50.

munities. The introduction of Western civilization has broken this social isolation and made it possible to involve the individual African in the movement on a full-fledged independent basis. Any civilization, however primitive (or modern), has ideals, obligations, expectations and a personal view of its own identity. Programmes that disregard this cultural heritage will break this pattern and leave the people and their institutions disorientated and ineffective.

The history of Nigeria and that of Africa is replete with programmes providing "what is good for you" to the indigenous people by someone else. The apparent philosophy of many national and international agencies, from the U.N. downward, is to provide a never-ending stream of technicians, specialists, administrative officers and others bristling with programmes to change the way of life. These programmes, however laudable in their philosophy, are not always successful in their implementation. Responses are diverse and variable and often neglect the practical needs of the individual the projects are "helping".

It is important, therefore, that the community development programmes undertaken in Nigeria consider fully the historical, traditional and cultural heritage upon which they propose to make innovations. Community development programmes must be related to this already complex pattern if ultimate benefit both to the nation and to the individual is to be achieved.[4] The African has been unable to do the full development job alone. A formal organization is necessary to foster such a movement. This organization usually has been the local government agency.

The role of local government

The machinery of local government provides the necessary stabilizing effect on community development programmes to produce the maximum individual benefit. Without the apparatus of local government any programmes undertaken are liable to be unco-ordinated, redundant, and unsuccessful in raising the general standard of living. The involvement of local government is reasonable because, in a very real sense, the local government agencies embody the characteristics of the community. Local government officials come from the community and receive their direction and support from the community. It is natural, therefore, that local government should foster programmes aimed at improving standards of living in the community.

Specific programmes

Community development programmes have been concerned with the gamut of development programmes.[5] These programmes are applicable both in the urban and rural areas and at some time or another have involved every level and category of individual activity. A partial listing of these programmes would include: improvement of agriculture, combat of soil erosion, development of improved breeds of livestock, improvement of water supply, development of forestry and plantations, improvement of education, adult literacy and health, development of community activities including clubs and social welfare agencies, combat of juvenile delinquency, resettlement, town and community planning, public housing, recreation and training and development of community leaders.

In the paragraphs that follow the efforts of local government units in Northern Nigeria to accommodate these needed integral functions of local government is

[4] "Have Traditional Authorities a Place in Modern Local Government", by A. U. Akpan; *J.A.A.*, Vol. VIII, July, 1955, p. 116.

[5] *Sound Progress Through Community Development*, U.N., 1955, pp. 6 to 13.

described. The emphasis of this description will be on official government programmes.

Community development programmes in Northern Emirates[6]

Community development programmes in most Northern Emirates are the responsibility of an official department of government. Very often the basic responsibility resides in the local government department, although very important responsibilities also are held by works departments, finance departments and natural resources departments.[7]

Community development programmes undertaken by the Native Authorities may be divided into five general areas:–

1. Education and enlightenment
2. Publicity and information
3. Development of trade and industry
4. Town and community planning
5. Resettlement

Education and enlightenment

Education and public enlightenment programmes in community development are basically concerned with the development of adult literacy training schemes.[8] Most Native Authorities locate responsibility for this programme with a chief organization officer who supervises the village instructors of the individual adult education classes. These educational programmes provide basic instruction in reading and writing of simple Hausa, public information, world affairs, and other subjects of general interest. Special classes are also undertaken to train women in literacy, basic homemaking, hygiene, needlework and other handcrafts.

Libraries and reading rooms

The education and enlightenment programmes also include the provision of reading rooms – public facilities constructed either by government agencies or as a community volunteer effort – and the maintenance and supply of these reading rooms with up-to-date information, newspapers, magazines and general works to help increase understanding and awareness of the villager in world affairs.

A separate, though related part of the typical public enlightenment programme deals with the development and utilization of libraries in the towns, villages and districts. These libraries are substantially the result of citizen initiative. Government and Native Authority grants have in some cases been

[6] This material represents a consensus of many facts collected from interviewing 36 officers in seven N.A's in Northern Nigeria during June, July and August, 1963.

[7] An interesting organizational relationship exists in Ilorin Native Authority. This emirate centres all activities connected in any way with development of the emirate under the Development Secretary, a Division Head who is responsible for supervision of the activities of development planning, veterinary, printing, commercial undertakings, agricultural shows, textiles, agriculture, markets, co-operation, labour relations, radio dissemination, cinema and towns and village planning.

[8] The objective of the Northern Region Adult Literacy Campaing is to train illiterate citizens in the "Seven Virtues of Literacy", i.e., to train the citizen so he can (1) write a letter, (2) read a letter, (3) read a receipt, (4) read a produce scale, (5) read a book, (6) read a newspaper, and (7) read a public notice. *Northern Regional Literacy Campaign Handbook* (Zaria), p. 1.

used to supplement local funds, but the basic impetus for library construction has normally come from private groups. Both Native Authority and Regional Government give financial help in maintaining the libraries and stocking them with books. Direct administration, however, is the responsibility of the district or village council.

In Sokoto, the Native Authority's role in the library programme is basically one of providing technical and advisory assistance, central reference libraries, and initial financing. The central library provides a complete repository for technical and professional volumes which are available on loan to the Native Authority and village libraries in the Emirate.

The cinema van

The roving cinema van, a relatively new innovation in the education and enlightenment programmes, provides a unique and distinctive method of providing general education to a large audience. The use of cinemas is an expensive programme and it is undertaken by only a few of the larger emirates in the North.

Typical of the kind of programme undertaken in this area is the experience of Sokoto Native Authority. The Sokoto Native Authority has joined with the three other native authorities in Sokoto Province to purchase a cinema van, which can project motion pictures portably. It travels throughout the province providing educational films to villages and districts that would otherwise fail to receive this information. Administration and control of the cinema van is under the direction of a committee composed of representatives from each Native Authority. This committee schedules the use of the van, selects the films and provides technical and administrative control. The committee also schedules the tours and routes taken by the van to ensure that all parts of the province have the advantage of this facility.[9]

Films come from the Regional Ministry of Information, the United States Information Services, and other sources. Films are secured on loan and very little expenditure is needed for their direct purchase. Film subjects used by the Sokoto van include Northern Region development, visits of V.I.P's, health, crops and agricultural methods and procedures, village development, geography and other documentary and development-oriented materials about the Northern Region and Africa.[10] The cinema van has been used in Sokoto and other Native Authorities for several seasons.

Publicity and information

Community development programmes must disseminate information and new ideas to the public in order to effectively instil the desire for and understanding of modern innovations. In Northern emirates this function is typically provided by publicity and information divisions. All items for newspapers, TV and local radio stations are assembled and distributed by the information division.

This agency also prepares written press releases on projects and programmes of the Native Authority. Every effort is made to publicize native authority activities in order to gain citizen co-operation and support.

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[9] Information secured through personal interview with Alhaji Ahmadu Danbaba, *Marafa*, Councillor for Local Government and Development, Sokoto, N.A., 1963.

[10] Information taken from personal interviews with officials in Sokoto, N.A., and from P. Morton-Williams, *Cinema in Rural Nigeria*, (Zaria, 1952).

A considerable effort also is made in many native authorities to present their programmes to the citizen on a personal basis. Councillors and department heads tour their jurisdictions in an effort to explain and secure public acceptance of native authority programmes.

A relatively new project in community development is the establishment of a native authority printing press. Besides printing public documents and forms, the press is available for printing pamphlets, leaflets, folders and other information for dissemination through the public enlightenment and information programmes. These printing shops publish regular public enlightenment newsletters for distribution to villages and districts in the emirates. The printing press also has the advantage of providing public enlightenment materials for use in reading rooms, libraries and public enlightenment classes.

The publicity and information programmes are basically government sponsored programmes to disseminate information and general knowledge to the illiterate. This is an effort by the government to upgrade the standard of living of the population without intensive effort on the part of the individual.

Development of trade and industry

The Northern emirates have a number of programmes for encouraging trade and industry. The native authorities provide technical advice, some financing and an environment conducive to local crafts and industries in an effort to upgrade and improve both productivity and methodology.

The intention of the community trade and industry programme is to initiate business expansion and create new business in the emirate. The method is to provide tools, equipment and training facilities to increase productivity of existing businesses and to developing new businesses.

Assistance in these programmes is available from the Regional Ministry of Trade and Industry and from various external sources. [11]Ministry of Trade and Industry experts provide advice on techniques of operation, organization, financing and management as well as product design, production, sales and distribution techniques to the individual craftsmen and to the various craft associations and unions.[12] The initial impetus for these trade and industry programmes usually originates with the people already engaged in a particular industry, although the government sometimes begins new programmes on its own.

Native administrations have programmes in weaving, tanning, pottery, brick manufacturing, leather craft and various trade and commercial societies. The following are examples of some of the programmes undertaken.

Textile centres

For several years some native authorities in the Nothern Region have been operating textile centres.[13] This activity is sponsored by the native authority to improve the general quality of the hand weaving industry in the emirate. The native authority has supplied (both by purchase and by construction by native authority crews) hand-operated looms of a modern and up-to-date design in an effort to replace tools and equipment being used that have not changed in basic

[11] *Recurrent and Capital Estimates of the Government of Northern Nigeria*, 1962-63 (Zaria: Government Printer, 1962), p. 221.

[12] The Zaria Industrial Centre plan envisages a formal programme of financing and other aid to small businessmen of this kind.

[13] Sokoto N.A.

character in over one hundred years. The native authority has provided facilities to house these looms and has trained operators. Trainees are paid on a piecework basis and their work sold commercially at a profit. After the initial investment, the textile centre has become a profit making organization, and therefore, self sustaining.

Trainees undergo a training period during which the operation of the new equipment is explained to them in an on-the-job situation. They are paid for their efforts and part of this pay can be applied to the purchase of the loom on which they are working. The intention is for the trained weaver eventually to leave the textile centre and carry on his craft in his home or to form a company and go into business commercially. Every effort is made to sell looms to individuals as soon as possible.

The textile centre today has helped people in the trade to improve their methods and increase their productivity. The advantage of this increased productivity on the total economy of the area is, of course, the ultimate goal of these programmes.

Trading companies

These companies are very similar to the co-operatives organized throughout the Northern Region in that they buy and sell agricultural products of a particular area. They differ from the co-operative in that trade companies are not associations of farmers but rather of traders who act as middle-men in moving the products of the field to the consumer.

Pottery and brick manufacturing

This undertaking is similar to the textile centre in its purpose of improving and expanding an existing craft. The native authorities work with the potters to improve their methods and to direct their efforts to the production of products needed in the emirate.

Town and community planning

The physical development of communities in the native authorities is also of special concern. Problems of urbanization and the development of physical facilities to accommodate the influx of new people into the towns and urban settlements in the Northern Region in most cases have been centralized under the responsibility of the Land Settlement Officer. This officer is responsible for the extension, development and layout of all new villages or extensions to towns and villages.[14] Although he is an officer of the central native authority government, his ability and expertise is available to the individual village or town councils in guiding development programmes. The initiative to undertake local physical development programmes remains with the local councils.[15] The native authority has no control over the actual development project to be undertaken in a district, village or town, except through the wisdom of its recommendations and through grants-in-aid if the villages and towns will undertake to develop according to the land settlement officer's plan.

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[14] One authority for this kind of physical development is found in N.N.L.N. 1989 of 1961, "The Native Authority" (Right of Occupancy) (Amendment No. 2) Regulations, 1961, effective 16th November, 1961.

[15] Sokoto District Council Instrument, 1960, para. 4 (*a*). This instrument is typical of those of many N.A's in the Northern Region and follows the model Instrument prepared by the Ministry for Local Government.

In most district and village areas the responsibility for town planning is given to town planning committees appointed by the district council.[16] These committees are composed of lay citizens who are interested in the development of the community and undertake to secure the best improvement possible within the existing limitation of funds. The native administration provides town planning officers for use by the planning committees in developing workable programmes in their area.

In most cases town planning, as conducted in the Northern Region, is rudimentary and limited to the basic physical layout of streets, roads and public and private structures.[17] Very little effort is made in making long-range aesthetic and social plans.[18] This kind of physical planning does, however, go a long way in providing facilities that will ease the introduction of social and aesthetic improvements in the future.

Native authorities often undertake to provide control and inspection of building and structural improvements undertaken in the villages and towns. These development control measures include native authority approval of the construction, design, building location, property lines designation, and relation to physical structures, roads and other public facilities.[19] Development control rules include the prohibition of obstructions and hazards in and around public roads.[20]

Town planning in the Northern emirates is basically concerned with control of development rather than planning for and encouragement of a specific kind and quality of development. Little effort is made to determine facts about population densities or other standard planning information in order to develop a comprehensive plan for long-range development. The efforts so far have been oriented to the individual community's desires and needs. Initiative for planning programmes comes from the community itself and community desire for improvement forms the foundation for these plans.

Resettlement

An interesting and unique programme in resettlement is currently being undertaken in Northern Nigeria. This programme deals with the native authorities' efforts to settle the Fulani herdsmen into villages. There has been in the past and still is considerable movement of Fulani herdsmen across native authority, provincial and national boundary lines. The livestock programme provides manure for agricultural interests, meat and milk for both local use and export, and a hides and skins industry basic to the export system of both the Northern Region and the Federation of Nigeria. The location of these herdsmen has important overtones in the economic development of the area. To the extent that this programme settles Fulani in specific places it has an important impact on the development of communities and community planning in the Northern Region.

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[16] *Ibid.*

[17] Interview with Cornelius Aimola, Town Planning Officer, Minister of Lands and Survey, Kaduna, August 15, 1963.

[18] The Greater Kano Planning Authority created in 1962 (Northern Nigeria Notice No. 1084, 1962) is the best example of a sophisticated planning agency in the Northern Region. Also the town planning officer of the Ministry of Lands and Survey currently is undertaking a master plan of Kaduna. (*Ibid.*).

[19] *Notes for Plotholders in Sokoto/Gusau* (Form SNA/SAS/4 undated printed circular).

[20] Sokoto Native Authority (Building Lines) Rule, 196.

The emirates feel a responsibility to provide the necessary services to make life easier for the Fulani since they are an integral and important part of the population. This programme is just one aspect of government service directed at a particular segment of the population. The Fulani programme is similar in philosophy to the agricultural improvement programme, the development of trade and industry, the development of water supplies in urban and rural areas, and the development of roads. All of these services provide needed services and facilities to all or part of the population of the emirate.

Reservation of land for the development of Fulani village settlement areas is an effort to localize the Fulani and to incorporate them into the emirate. This programme basically amounts to:–

1. Allocating sufficient acreage in appropriate locations throughout the emirate for village sites adjacent to
2. good grazing land set aside specifically for cattle and other livestock pasture areas; and
3. the designation of additional land to be placed in reserve for Fulani families for future pasturage as their herds expand.

These improvements are supplied both in the built-up areas and in the hinterland to accommodate both the families and the livestock of the Fulani herdsmen.

In order to settle in one of these settlement areas, the Fulani must promise to maintain a certain quota of cattle per acre of land they accept for occupancy. It is through this method that the native authority hopes to recoup the cost of providing these facilities.

Part of the cost of financing the Fulani amenities programme is derived from the *jangali* (cattle tax). One shilling of each pound of cattle tax collected is allocated to the Fulani Amenities Programme. The idea behind this method of partial financing is to inculcate in the Fulani mind the relationship between paying taxes and receiving benefits. It is hoped that through this method the Fulani will get a better understanding of the role of government in providing needed and desirable services in all phases of the society to improve standards of living and ability to work. Other means of financing are the Regional Government programmes and the native authorities' six-year plans.

A Fulani committee composed of leaders of the Fulani community in each district is usually appointed. This committee has as its responsibility the development of programmes in the district to facilitate the settlement of the Fulani in that area. Responsibility for recommending these programmes extends to the portion of the *jangali* collected in the district that is given to the Fulani committee.

Summary

The programmes of local government in the Northern Emirates of Nigeria constitute an important and expanding facet of the overall development of the region and the nation. As the Northern Region reaches for its proper role in the nation, it is appropriate that the development effort finds its basis in the grass roots. It is only with a widespread popular support that the development plans aimed at putting Nigeria in the forefront of African nations can be achieved.

The Kenya Institute of Administration

by A. J. F. Simmance

The importance of training institutes in public administration has been increasingly recognized by developing countries in recent years. In Kenya, the decision to establish an Institute of Administration followed rapidly on the Lancaster House Conference of 1960, which set an entirely new pace of constitutional change for the country. It was followed by a conference on the Public Service, which led in turn to the creation within Government of a Service and Training Branch. One of the functions of this Branch (now a part of the Directorate of Personnel in the Prime Minister's Office) is to localize the civil service at the greatest speed consistent with the maintenance of efficient standards. Fundamental to the success of a policy of localisation is the existence of proper training facilities for the higher cadre of the Service. It was in order to provide such facilities that the Kenya Institute of Administration was opened in July, 1961.

The Institute was fortunate in that a site of sufficient size (near 100 acres) and conveniently close to Nairobi was immediately available for occupation. This was the area of the old Jeanes School at Lower Kabete, which was taken over after many years of useful foundation work in the training field. The Institute's first course consisted of 22 students drawn from the ranks of serving officers of the Provincial Administration and the Labour Department, and sent into training for six months to qualify for appointment as District and Labour Officers. In two and a half years, the student population has risen to over 300, studying in one or another of five different departments, and preparing for a variety of central and local government posts. The Institute already has some 1,200 past students and has not only diversified its studies but expanded them enormously in quality and scope. Moreover, the physical development of the site has gone hand in hand with the increase in the size of the student community. Generous financial assistance from the Agency for International Development of the United States Government has enabled a modern classroom block to be constructed as well as four new Halls of Residence, a Dining Hall and a Lounge. A new library with space for 40,000 books has been built through A.I.D. funds, and the Kenya Government has undertaken the extensive reconstruction and renovation of an old dining hall and common room inherited from Jeanes School and still in use by a large part of the student body. By the middle of 1964, when the current building programme will be completed, the physical aspect of the Institute will be impressive indeed. Already it presents an institutional asset of which any government might be proud.

Under the overall direction of the Principal, who is also Director of Studies, the Institute now has five autonomous departments, each under its own head and with its own qualified lecturing staff. There are 27 permanent teaching staff apart from five seconded American personnel who are referred to later in this paper. These departments are:–

(1) The Department of Public Administration

(2) The Department of Executive Training

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(3) The Department of Local Government
(4) The Department of Community Development Training
(5) The Department of Co-operative Training.

The Department of Public Administration, whose Head is also Vice-Principal for the Institute as a whole, conducts courses in Public Administration for the higher administrative cadres of the civil service. These courses cater not only for the new intake of university graduates into the service, but for promising field officers at the lower level who are considered suitable material for training for promotion. Each course lasts for six months, and studies are centred around the main subjects of management, law, economics, politics and government, with an emphasis throughout on the practical skills and techniques which the senior administrator, whether in central government or in a field appointment, needs to know. A great deal of use is made of the live case study and project techniques which have become an accepted part of public administration training at the advanced level.

The maximum number of students on any one course is twenty-four: six courses have already passed through the Institute. On the successful completion of their course, officers are posted either to the central government as assistant secretaries or to the field as administrative officers. The object of the course is not, therefore, to prepare a man for a specific assignment as a secretariat official or regional administrator, but rather to equip him with the basic skills and background knowledge which he will need in either capacity.

The Department of Public Administration also conducts courses at a less advanced level for the district assistant cadre of the administrative service. These officers are the principal executants of government policy at the level of day to day field administration, and they come to the Institute for a three months' course, designed, not as an avenue of promotion, but to enable them to discharge their duties with greater efficiency and expertise. They study all aspects of basic administration from stores control to the performance of limited magisterial functions. In addition, they are given an insight into the wider spheres of policy making, which they must be able to interpret if not initiate directly.

As an extension of the Institute's current programme, the first of a series of short senior courses has been held, designed to provide training in decision-making and policy-formulation for local officers who are destined to fill the most senior posts in the future civil service. These courses are conducted under the direction of the Department of Public Administration, but are of a participant and problem-solving nature, with lectures provided by persons of eminence in every walk of life. The courses are also a new departure for the Institute in that they are attended not only by civil servants, but by senior or potentially senior executives in commerce and industry. In an independent nation, it is essential that leaders in every field meet together and tackle their problems in a spirit of mutual endeavour and understanding. A series of short courses of this nature should do a great deal to fulfil the need for training and co-operation at the highest level of administrative activity. The second and third of these courses will take place in May and June, 1964, respectively.

Training commenced at the Institute in March, 1964, for officers of the External Affairs Branch of the Prime Minister's Office, who will be responsible for the administration of Kenya's Embassies overseas or will work in the Branch in Nairobi. The first courses, which last for one month, aim at giving these

officers a background to the Kenya constitution and economy, an introduction to the problem of international relations and an understanding of the regulations and technical subjects, such as protocol, passports and trade agreements, which they will need in their future careers. It is hoped to mount short courses for the wives of officers going overseas on the social aspects of a diplomat's life.

The Department of Executive Training at the Institute is designed to train executive officers for the Central Government and Regions. The officers trained are drawn from the clerical grades of the government service and are selected for their executive potential, and for the branch of executive work for which they are best fitted, through the medium of a one week's assessment course at the Institute. If they are successful in passing the assessment standards, they return to the Institute for an extensive three months' specialist course in either accounts, office management or establishments. One hundred and forty eight officers have so far completed these courses, and another 44 are in training. They will provide the backbone of the middle manager service of the government for many years to come. At a higher level of executive training, three advanced executive courses of seven months' duration have already been completed and will be succeeded by a further series. These courses, which are extremely intensive in character, aim at producing men to assume the senior posts in the executive grades. Students are chosen for training through a system of interviews under the guidance of the Public Service Commission. They can look forward to eventual appointment to positions at the top level of the executive cadre, as chief accountants and chief establishment officers. Their training is vital, not only because the majority of such posts are currently held by expatriates, but also because on their effective functioning so much of the efficiency of the government machine depends. A total of 74 officers have completed advanced courses to date; the emphasis of the first three courses has been on accounts to a standard approaching that of the A.C.C.A. Intermediate. The next course, in May, 1964, will concentrate on personnel management skills.

In the *Department of Local Government* – as the name implies – the student body is drawn from the staffs of local authorities throughout Kenya, with a number from Tanganyika and Nyasaland as well. Courses are at two levels, the higher of which prepares students for the Intermediate Examination of either the Institute of Municipal Treasurers and Accountants, or the Corporation of Secretaries. These students will, after a year's course, be qualified to the Intermediate Standard of internationally recognized professional bodies and will assume the more senior posts in the local government service. Consideration is then to be given to holding further courses for the final examinations of these bodies. At a less advanced level, courses are conducted for local authority accounts and secretarial staff, and these also prepare for examinations set by the professional bodies mentioned above. Local authorities pay for their students to attend courses in the Department, but have been assisted by bursaries provided by the Agency for International Development of the United States Government and by a contribution from the Government of Kenya.

The Department of Community Development Training operates under the overall direction of the Ministry of Social Services as an integral part of the Institute. It trains not only Community Development Officers and Assistants, but provides also a wide range of short courses in the principles and practice of community development for Youth Leaders, Nursery Centre Leaders and the Organisers of Women's Clubs. The demand of Kenya's new National Community Development Plan will require the intensified training of 55 Community

Development Officers and 300 Community Development Assistants over the next two years.

After ten years of continuous association first with Jeanes School and latterly with the Kenya Institute of Administration, the *East African School of Co-operation* closed at the end of 1962. Originally an inter-territorial training institute for the officers of co-operative departments and managers of co-operative societies throughout East Africa, its closure was the result of the decision of the Uganda Government in 1959 and the Tanganyika Government in 1962 to establish their own training facilities in their countries. However, the need for the Kenya Government to continue with the training of its own co-operative personnel is as pressing as ever, particularly with the development of agricultural settlement schemes in the scheduled areas of the country. Training in co-operation has therefore been recommended on a Kenya basis and is again a part of the general training function at Kabete. The new *Department of Co-operative Training* is headed by an officer seconded from the United Kingdom by the Department of Technical Co-operation, who is familiar with the latest co-operative skills and techniques. Courses have been held for co-operative inspectors (3 months) and the secretaries of co-operative societies (1 month). In September, 1964, it is planned to open the first advanced course at diploma level for co-operative officers, who have hitherto had to study overseas to obtain a full qualification in co-operative work.

The academic side of the Institute curriculum is now being strengthened by the addition to the regular teaching staff of five university specialists provided by Syracuse University, New York, which throughout the Institute's short life has been an active and valued ally. The range of skills which these specialists cover includes not only subjects such as co-operative government and economics, in which direct instruction is required, but also the provision of audio-visual aids and advice on the latest teaching methods and techniques. They work under the direction of the Principal as an integral part of the Institute staff and have a unique contribution to make to the wider development of the training programme.

What of the future? The nature of the training provided at this Institute and the types of course conducted are kept under constant review. As general educational standards improve, the standard of learning imparted must rise also. There is a place – and an important place – for research and consultancy work, which the exigencies of the programme have not so far allowed, except on a limited scale. A start has already been made in providing the Institute with its own instructional materials particularly suited to East African needs; the publication of an Institute Journal is now under way. The field of public administration training is still in many ways embryonic, and a receptiveness to new ideas and stimuli will be in the future a vital prerequisite of progress. The Institute is being increasingly used as a centre for conferences, seminars and meetings in a wide range of fields. These enable it to keep in touch with current trends and to play a full part in the intellectual life of the community.

The place of the Kenya Institute of Administration in the growth of the Kenya nation has been described by the Prime Minister, the Hon. Jomo Kenyatta, in the following words:–

> "During my visits to the Kenya Institute of Administration I have been most pleased with the progress that has been made. Since the Institute was opened in July, 1961, a training establishment remarkable both in its facilities and in the quality of its staff, has been established: here I would acknowledge

the very generous support received from the British and United States Governments, without whose help the Institute could not have been built and staffed.

"My Government is determined to build a national civil service of the highest level of integrity and efficiency. The Institute is one of the principal tools with which this is to be done.

"The achievement is already impressive. During the past two years over 1,000 students have passed through the Institute. The enthusiasm and industry with which they have tackled their work springs in no small measure from their training at the Institute.

"I am proud that the Institute has already acquired an international reputation and that its courses are attracting increasing numbers of students from other African countries. I welcome them and trust they will benefit from their training and share my pride in the Institute from which they have received it."

The Use of Case Studies in Public Administration Training in Kenya

by R. J. H. Chambers

Case studies have been widely accepted as a means of developing judgment and practising decision-making and, although there is variety in the methods of preparation and use favoured by individual tutors, certain techniques are more or less standard practice. These involve the presentation of problem situations to groups of students who discuss them in syndicate and then report back their conclusions. There is a minimum of direction by the tutor, the theory being that the students are men of experience and will learn from the material and from one another.

This approach is valid for administrative students, regardless of how much practical experience they have had, but its usefulness must depend to some extent on the amount of relevant experience on which they can draw. What sort of case study material is appropriate, and how it is presented, must be related both to the level of experience of the students and to the training needs that are to be fulfilled. In many developing countries, administrators and managers, sometimes with little or no previous administrative experience, are being trained to take over posts which expatriates would previously only have held after long service and often with higher educational qualifications. In these circumstances, the urgent training needs are not only the usual ones of developing judgment and sound decision-making, vital though these are; there is also a great need for the students to gain skill and confidence in carrying out the actual procedures of the job. To achieve all these objects through the use of case studies, two conditions must be fulfilled: the material of the study must be taken from the job for which the students are being trained; and some problems and exercises in the study must be handled by students individually, and not only in syndicate.

The techniques of case study selection and presentation that have been evolved along these lines at the Kenya Institute of Administration were developed as an attempt to provide the training required by a particular situation. Towards the end of 1962, there were two six-months courses in public administration under training. One of these courses consisted of 22 officers with an average age of 30, an average educational level of a little below Cambridge School Certificate, and several years' field experience. Their great needs were to speed up their reading and handling of paperwork and to learn to think and make decisions at a policy level. The other course, of 20 officers, consisted of recent graduates, with an average age of 26, most of them with Arts degrees from Makerere College, and with their practical administrative experience limited to five months as district officers in the field. It was expected that many of these graduates would be posted to ministries, and it was important that they should receive training in central government procedures, in the writing of minutes and letters, and in the analysis and handling of difficult files. These two courses typified the two poles of human resources in many developing countries, which, in an oversimplified form, may be stated as experience without education on the one hand, and education without experience on the other.

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To provide case study material for these two sets of different but overlapping training needs, a number of files in the then Ministry of State for Constitutional Affairs and Administration were examined. The ideal requirements were that the files should provide scope for individual exercises as well as group discussions; that they should contain all the information needed for action to be taken; that they should have been handled by officers ranging in rank from Assistant Secretary to Permanent Secretary; that the important relationship between Ministers and Parliamentary Secretaries on the one hand, and civil servants on the other, should be demonstrated; that the situations and problems should be typical and should become more difficult and complex as the study proceeded; and that the cases should be interesting and provocative, with end results that would not already be known to the students.

Through the co-operation and tolerance of officers in the Ministry, two suitable files were found and their contents photocopied. The photostats were copied into stencils. All written comments on the original were also inscribed on the stencils and, sacrificing a little realism, made more legible. A few names were changed, but in most cases the real names were retained. Since many of the officers handling the files were known personally to the students, and were considerably senior to them, the studies held a special fascination. The stencils were duplicated, so that each student could build up his own file. The approach was chronological, the students starting with only a few papers, and being issued with successive batches as the study proceeded.

The first study: "Kariuki's Complaint", arises out of the Kenya Emergency, when 'Kariuki' was detained, his Temporary Occupation Licence for a plot terminated, and a sum, paid to him by Government, ex gratia, in compensation for the hotel he had built on the plot. On release from detention, he makes a series of written complaints that the termination of his licence was illegal and that the compensation was unfairly assessed. At first the student plays the role of Assistant Secretary, and later of Permanent Secretary. In its early stages, the case involves a useful exercise in the identification of issues and in distinguishing between questions of fact, law and professional ethics.

Of particular value in this study is the insight afforded to the students into the natural inertia of civil servants. Early on in the study, when the basic facts have been presented, each student is asked to put in writing his general aims in handling the case. Almost invariably he writes that he wishes to obtain additional compensation for 'Kariuki'. He is then posed with an overnight problem – to draft the next letter on the file. In doing this, to refuse further compensation is short and simple; to advocate further compensation involves detailed work. Frequently a student goes back on his stated aim and refuses further compensation. When the inconsistency is pointed out the following day, a good deal of amusement and understanding can result.

The second case study concerns the resettlement of Kenya Africans at Mpanda in the Western Province of Tanganyika. The operation begins in great haste when the Tanganyika Government starts repatriating to Kenya some of the Kenyans who had migrated into the Northern Province of Tanganyika. As an alternative to repatriation, it is agreed that these Kenyans might be settled at Mpanda. Later the scheme is expanded to include landless Kikuyu direct from Kenya. Many difficulties, misunderstandings and muddles arise, and the file is built up in all its complexities with irrelevant as well as relevant material. Each student takes on the job of the Deputy Secretary who is responsible for the operation. The action required individually of the students can include drafting

a circular to Provincial Commissioners, replying to a Treasury query, writing a delicate letter to a senior politician, and drafting a reply for a Kenya Minister to a Tanganyika Minister when an inter-territorial disagreement cannot be resolved at a civil service level. The study provides many opportunities for analysing estimates and interpreting difficult passages of English. One of the climaxes comes at a point where senior civil servants disagree on the implications of a number of letters when read together. Discussions on issues of this sort are always lively, and effective argument has to be based on a mastery of intricate detail. There is no 'school solution' of the problems, and as the project has continued up to the time of writing, it has always been possible to end the study with fresh papers only a few days old. One student, who at the end of his course was posted to the Ministry concerned, went straight to the file and wrote a minute on it, which now appears in the up-to-date study. Although this is a case of the observer changing the thing he is observing, it adds to the interest of the case.

In the presentation of these two case studies, emphasis is placed on individual action by the student. It is true that during the classroom sessions much of the time is taken up with syndicate discussions, both because of the value of the exchange of ideas and because it is impossible to correct written work in the middle of a session and at the same time maintain the flow and momentum of the study. But overnight problems are always individual. This arouses the student's interest in that he feels himself competing against the actual officer concerned. It gives him practice in writing minutes and letters. It forces him to clarify his ideas and makes it difficult for him to coast through the study. It helps him to develop confidence in his own – as opposed to his syndicate's – ability to handle situations. Above all, it makes him think, decide and act on his own. In short, he develops 'inner-directed' skills, without which he would drift instead of steer his way through the complications of the case study.

The procedure with these overnight individual exercises is as follows: the minute or letter which has to be written is drafted by the student overnight. The drafts are collected first thing on the following morning, and corrected. Selected pieces of work can be typed and transferred to a transparency to be shown to the class with an overhead projector. Extracts from drafts which demonstrate good or bad English are written up on a blackboard, where they can be criticized by the students themselves. The corrected drafts are handed back and discussed, and then comes the exciting moment when the next papers on the file are issued, and each student sees what the officer in the real situation wrote and compares it with his own work. The actual minute or letter is never held up as a model of excellence but simply presented as one way of dealing with the problem.

With later and more senior courses for officers at Under-Secretary or equivalent level, this procedure was varied, and several copies were typed of each of the students' drafts. These were given code numbers, and assessed and criticised by syndicates, only the author knowing which was his letter. On this occasion, students proved far more outspoken in their criticism than any tutor would have been.

In addition to these longer individual exercises, shorter ones are given in the middle of a session. Short mathematical problems arising out of the material are particularly suitable and can be used as an oblique way of drawing attention to some vital fact that is being overlooked or of keeping the discussion on the ground. These shorter problems have the advantage of introducing a new

activity in the middle of a session and of keeping students on their toes.

Despite this emphasis on individual exercises which appears to be greater than is practised elsewhere, most of the appraisals and decisions made in the classroom are necessarily the work of syndicates.

Much of the success of a case study has been found to depend on the careful selection of syndicates. They must be balanced so that they are all of roughly the same strength. It is better to distribute the more talkative and more perceptive students evenly between the groups than to put them together. In this way, the syndicates will produce solutions of roughly the same calibre, and the weaker students will be able to learn from the more able.

The number of students per syndicate deserves careful thought. After a number of experiments, the writer has come to the tentative conclusion that for case studies of this type the best number of students in a syndicate is five, with three as a second best. In a group of six or more there are usually two or more students who hardly participate at all. With four there is a tendency for the discussion to polarize between the two strongest members, and the chances are two to one, with a square seating arrangement, and that they will sit next to one another rather than opposite, so that the weaker two will be sitting away on one side of the main axis of discussion. In contrast, in a group of three, sitting equally spaced as though at the corners of an equilateral triangle, the weakest member is closer to the main line of talk, and when the two stronger members disagree, holds the balance and is appealed to for support. The weakest man is thus drawn into the discussion automatically and may well find himself forced to make decisions. A group of three involves the students in considerable activity but has the disadvantage that the spread of ideas, attitudes and experience is limited. A five is more diverse and complex, and usually at least three members emerge as active talkers. With more variety than a three, and lacking the sterile symmetry of a four, a five tends to remain flexible without falling into a standard pattern of interaction.

The number of syndicates into which the class is divided is also important. Two syndicates may not provide enough variety of decision for useful discussion, and it is unsatisfactory if one syndicate proves to be much more competent than the other. Four syndicates take a long time to debrief after their discussions, and may present such a range of decisions that the discussion becomes dispersed and lacking in direction. Three syndicates is ideal, allowing a useful but not confusing variety of decision and not taking too long to debrief.

The system of debriefing after a discussion may be varied. On their own, spoken reports from rapporteurs are unsatisfactory, tending to be woolly and to take a long time. A spoken report, summarised by the tutor as it goes along, using either the blackboard or, more easily, an overhead projector, is better. The writer, however, prefers a system in which each rapporteur chalks up his syndicate's decisions on the blackboard. This introduces movement into the room, and often leads to members of a syndicate actively criticising and correcting their rapporteur as he writes. Were he presenting a spoken report, the members of the syndicate would be less likely to interrupt, and it would be easier for him to 'get away' with inaccuracies. This system also saves time, since all the rapporteurs can write simultaneously. Further, it provides a break in the session, usually with some relaxation on the part of the students after the concentration of their discussions.

Once the decisions have all been written up, discussion can follow. After a little training and prompting, students will force one another to specify the

means of communication that are to be used in executing decisions, a gap in the comprehensiveness of the decisions which often appears at first. Finally, after discussion and mutual criticism between the syndicates, each student is issued with the papers which show what was done in reality. For the sake of clear comparison, the tutor may write this action up on the blackboard alongside the decisions of the syndicates.

It has been found an advantage to have all the syndicate discussions taking place at the same time in the same room. When separate rooms are used, discussion tends sometimes to flag. In the same room, however, the noise generates excitement and a competitive atmosphere and stimulates discussion. Only rarely has it been found that one syndicate overhears and uses something said in another syndicate. Concentration in one room also has the advantage that it is easier for the tutor to observe how the discussions are going, and to bring them all to a close at the same time. Rarely, if at all, should it be necessary for the tutor to participate in a group discussion, since such participation gives the group the feeling that there is an outside authority to whom appeals can be made when a difficulty has to be faced.

Unlike many case studies used elsewhere, these two are not 'written'. In a written case study, an element of the fictitious must usually be introduced, even when the case study is based on a real situation. A written case study can be carefully contrived to serve a particular purpose, but it is doubtful whether this advantage often outweighs the drawbacks. In a written case study the unreality is liable to tempt the student into asking for more information, and even if the tutor is able to supply this, whether through careful preparation or through improvisation an air of artificiality is introduced. The student may even attack the whole frame work of the case study on the grounds that "people just don't behave like that" or "it couldn't have happened like that". In contrast, the beauty of taking a real live file, as with "Kariuki's Complaint" and "Mpanda Resettlement", is that all the information required for action is on the file, and no one can be led astray into criticising the reality of the situations presented.

Many case studies used elsewhere are relatively short, taking only an hour or two; and a number of such case studies have been developed at the Kenya Institute of Administration. For instance, the "Shimba Hills Game Reserve" case study shows the progress of a development proposal through the various levels of Government. Another study, called "What's Your Line?", has been prepared in collaboration with the University of East Africa, and deals on an East African level with the problem of realigning an interterritorial railway line.

Short case studies sometimes have disadvantages. One is that information may have to be summarized, simplified or skated over rapidly, thus depriving the student of exposure to the facts in their full complexity and of the challenging task of analysing and using them. Another is that time may be too short for the appreciation of problems in depth. Again, the need to cover the ground quickly may make individual exercises impossible. Nevertheless, short case studies, designed for specific purposes, can be useful in presenting a wide variety of situations and problems.

The two main case studies discussed above are relatively long: "Kariuki's Complaint" takes four sessions of two hours each, with three overnight exercises. "Mpanda Resettlement" can vary in length, but usually takes ten two-hour sessions, with a variable number of overnight exercises. Long case studies like these allow the tutor flexibility. Often the most valuable discussions arise

spontaneously and unexpectedly, and a tutor who is tied to a tight time-table may not have enough time to allow such discussions to flourish. There is much to be said for the tutor to some extent playing the case study off the cuff and varying the pace to suit the students and the material. It is an advantage to have at least two points in the study at which the session can be terminated, and for the tutor to decide only at the last moment which of the points he will use.

Too much must not be claimed for the techniques outlined above. Little in them, if anything, is original. They have evolved from ideas drawn from a number of sources, and have been adapted to the special needs of training administrators in a developing country. For the older, more experienced, but less well-educated students, they provide an exacting training in reading and comprehension, and might profitably be combined with use of the quicker reading films which are being developed at the Kenya Institute of Administration. For the younger, better educated but less experienced student, they provide an insight into the way the Government machine works and administrators act. For all students they provide practice in the exercise of judgment and in decision-making. They are essentially practical and directly related to the sorts of job that the students can expect to be doing when they finish the course. Above all, they enable the students to develop the skills they need in order to hold down jobs previously performed by expatriates with longer experience or greater education. Wherever urgent programmes are mounted to train administrative officers quickly to assume considerable responsibility, these techniques may prove to be of use.

Quarterly Notes

UNITED KINGDOM – *Conference on Nigerian Law*

A very successful conference on "The Law in Nigeria Today" was held under the auspices of the British Institute of International and Comparative Law at Cumberland Lodge, Windsor Great Park, Berks., which was made available by the Trustees of St. Catharine's Trust, during the weekend, 13th-16th March, 1964. The conference was one of a series which has been organized by the British Institute during the last few years to enable practitioners, students and others interested in the laws of the various parts of the Commonwealth to meet in informal and attractive surroundings for the purpose of discussing the legal developments which have taken place in their own territories. Representatives of the Bench and Bar in the countries concerned and in the United Kingdom and representatives of the universities in both countries attend, but the conferences are held mainly for the benefit of Bar students and of law students, both undergraduate and postgraduate, at the universities.

The conference on Nigerian law was opened on Friday, the 13th, by Mallam Baba Gana, O.B.E., Agent-General for Northern Nigeria, who very kindly, at short notice, took the place of His Excellency Alhaji Abdul Maliki, C.B.E., High Commissioner for the Federal Republic of Nigeria, who had been prevented by a bereavement from attending. The Agent-General was introduced by the Rt. Hon. Lord Denning, P.C., Master of the Rolls, and gave a short introductory address. His speech was followed by a lecture by the Hon. Mr. Justice Onyeama of the High Court of Lagos, on "Land Law in Nigeria", the Chairman at this session being the Rt. Hon. Lord Denning.

Proceedings on the second day commenced with a lecture by Professor H. G. Hanbury, Vinerian Professor of Law at Oxford University, on "Labour and Industrial Legislation in Nigeria", the Chairman being Mr. N. S. Marsh, Director of the British Institute and a former Fellow of University College, Oxford. After an interval for tea, Mr. S. D. Adebiyi, Deputy Solicitor-General of the Federation of Nigeria, gave a talk on "Fundamental Human Rights in Nigeria: Some Decided Cases and Future Problems". The Chairman at this lecture was Monsieur Karel Vasak of the Department of Human Rights of the Council of Europe at Strasbourg.

In the afternoon, the great majority of those present were taken by motor coach for a sightseeing trip to Windsor. After returing to Cumberland Lodge, Professor Alan Milner, Dean of the Faculty of Law of Ahmadu Bello University, Zaria, Northern Nigeria, delivered a lecture on "Legal Education and Training in Nigeria". The Chairman on this occasion was Dr. A. N. Allott, Reader in African Law at the University of London. After dinner, a talk on "Some Aspects of the Constitutions of the Federation of Nigeria and of the Regions" was delivered by Mr. B. O. Nwabueze, Lecturer in Law in the University of Lagos, the Chairman being Mr. H. H. Marshall, Assistant Director (Commonwealth) of the British Institute and former Attorney General of Northern Nigeria.

The third day being Sunday the morning was left free to enable the visitors to attend religious services. After lunch, Mr. A. Okubadejo, Chairman of the Ibadan Branch of the Nigerian Bar Association, delivered a lecture on "Local

Government: Local Contrasts". The Chairman was Dr. H. F. Morris, Lecturer in Law at the School of Oriental and African Studies in London. The final lecture of the series was delivered after tea by Dr. A. N. Allot on "The Common Law of Nigeria," the Chairman being the Rt. Hon. Sir Kenneth Diplock, a Lord Justice of the Court of Appeal. Dr. Allott's lecture was followed by a general discussion on all the lectures which had been delivered during the conference.

Among those present, in addition to those specifically mentioned above, were Mr. J. B. Frankenburg, Legal Adviser to the British Council, the Hon. Mr. Justice Balonwu, Judge of the High Court of Eastern Nigeria, Mr. K. O. Okagbue, Legal Draftsman of Eastern Nigeria, Professor Dr.Henrich of Philipps-Universitat, Marburg, Germany, Mr. M. Nunan, former Solicitor-General of Northern Nigeria, Mr. Eugene Cotran, Lecturer at the School of Oriental and African Studies, Mr. V. A. O. Aboderin, Assistant Legal Draftsman, Western Nigeria, and 25 Nigerian and other students. It was a great pleasure to the Institute to welcome to the conference also the wives of a number of the senior guests. Their presence greatly added to the social atmosphere and the enjoyment of the occasion.

BECHUANALAND – *Committee on Future Development of Local Government*

Following discussions on the future of local government in Bechuanaland at the African Council meeting in July, 1963, Her Majesty's Commissioner, in December, 1963, appointed a committee to advise on the future development of local government in areas outside the townships, with particular reference to:

(*a*) the relationship of local government to tribal administration; and

(*b*) the structure, functions, finance and staffing of local government.

The Committee, under the chairmanship of the Chief Secretary, consists of three representatives of the Chieftainship, three representatives of the African Council, three persons nominated by Her Majesty's Commissioner, and three civil servants.

The Committee has so far met twice and its report was finished in April. It had been unanimously accepted that the main objective of the Committee would be to make recommendations on the development of a non-racial, representative and responsible system of local government from the existing tribal administrations.

NORTHERN NIGERIA – *E.C.A. Seminar on Central Services to Local Authorities*

The Economic Commission for Africa, in conjunction with the United Nations Division for Public Administration, will be conducting a seminar on the subject of "Central Services to Local Authorities" from 29th June to 10th July, 1964. The seminar will be held at the new Conference Hall which has just been built at the Institute of Administration, Zaria, Northern Nigeria. It is hoped that about 45 senior officials from member countries will take part.

Mr. C. A. G. Wallis, Local Government Adviser to the Department of Technical Co-operation, has been commissioned by the Economic Commission for Africa to prepare discussion papers under six headings:–

(i) Existing systems of Local Government and concepts of central/local relations;

(ii) Central agencies dealing with local authorities;

(iii) Community Development;
(iv) Planning;
(v) Finance; and
(vi) Personnel and Training.

Mr. Wallis recently made an extensive tour of Africa under E.C.A. auspices to gather material for the seminar.

INDIA – *Reorganization of Village Volunteer Force*

The Committee which was recently set up by the Ministry of Community Development and Co-operation to report on the co-ordination of the Village Volunteer Force and Defence Labour Bank programmes for making an effective improvement in agricultural production has recommended financial assistance by a matching grant from the Government to *panchayats* (village councils) in which at least 25 per cent. of the able-bodied adults have become members of the V.V.F. The Committee has endorsed the decision of the Ministry that only those who undertake to give a minimum of 12 days' free labour per annum for the programmes of the V.V.F. should be enrolled as its members.

Another recommendation of the Committee emphasized that *panchayats* should pay particular attention to works programmes based on volunteer contribution of full or part labour, supplemented by assistance from Government towards the cost of skilled labour and materials. The role of the V.V.F is to be as the instrument of the *panchayats* to execute programmes based on volunteer labour. The *panchayats* should utilize the entire man-power available in the villages in the implementation of rural works programmes and it has been suggested that, if necessary, amending legislation be passed by the States for this purpose.

The Committee has pointed out that agricultural production programmes, such as desilting and construction of minor irrigation and drainage works, soil conservation, tree planting, green manuring, compost making, etc., should be given priority in local development works.

PAPUA-NEW GUINEA – *First general election*

Thousands of the electorate which included some of the world's most primitive people voted in February in the first general election to be held in the territory of Papua-New Guinea. In the mountain districts many of the voters arrived at polling booths in traditional dress with decorations of birds of paradise plumes.

The enthusiasm of the response of the indigenous people to the Australian Government's campaign to explain the techniques of democracy has surprized administration officials. Their interest in the poll was described as fantastic.

Polling continued for four and a half weeks while patrol officers – often on foot – carried portable polling stations to tribes in remoter areas. The voting is for a Papua-New Guinea House of Assembly which will replace the largely nominated Legislative Assembly. On a common roll are 1,030,000 electors. The franchise is open to all men and women, indigenous and European, who were born in the territory or have lived in an electoral area for 12 months.

KENYA – *National Community Development Plan*

The Ministry of Labour and Social Services has produced a bold imaginative plan for developing self-help schemes in all their variety throughout Kenya. The Community Development Plan will create a pyramid of community development committees reaching from the Locations to Regions and to Central

Government. These committees, composed of leaders from all walks of life and the extension staff of government departments, will encourage and materially assist communities who wish to plan and work for their future. Supporting the work of the committees in the field will be professionally trained staff of the Community Development Division of the Ministry of Labour and Social Services.

The Community Development Programme will include as adjuncts self-help schemes, multi-purpose rural training centres, programmes designed for women's interests, adult literacy, sport and cultural interests. The most modern teaching methods in all forms of extension work will be followed.

The success of this Community Development Plan will largely depend upon staff, trained to professional levels, being available for the new posts that are being created. The Community Development Department of the Kenya Institute of Administration, has developed a professional training course for community development officers and the first twelve graduates from this course are already in the field.

INDIA – *A Working Group for Intensified Development in Community Development Areas*

The Union Ministry of Community Development and Co-operation appointed last year a Working Group with Sri B. Mukherji, Managing Director, State Bank of India, as its Chairman to suggest the criteria for the classification of Community Development Blocks for the purpose of an intensified implementation of the selected programmes of work like land development, land reclamation, contour building, drainage and development and water resources and also to recommend programmes for each of the Blocks. The Working Group will also draw up a scheme for implementation of programmes like rural electrification and industrialization for the purpose of diversifying the rural economy.

INDIA – *Report of the Study Team on Panchayati Raj Finances*

The Study Team on Panchayati Raj Finances appointed by the Government of India under the chairmanship of Sri K. Santhanam has in its report suggested that a basic minimum maintenance grant, to be shared equally by State and Central Government, of R.1 per capita should be given to every *panchayat* (village council). All public lands, ponds, trees, tanks with fishery rights, cattle ponds, etc. situated in its area should be transferred to the *panchayat*. Wherever enough land is not available, the State Government should acquire and give at least five acres of land to the *panchayat* for house sites and other activities such as compost making.

Among other recommendations are the proposals that (*a*) the entire tax demand of a *panchayat*, excluding arrears, should be taken as the basis of a matching grant and, if a collection of 75 per cent. is made in a year, an amount equal to 15 per cent. of such collection should be given as a matching grant which should increase at least by 1 per cent. for every additional 5 per cent. collection; (*b*) house tax, professional tax and vehicle tax including that on cycles, should be compulsory taxes; (*c*) labour tax may be levied when voluntary contributions in cash or labour are insufficient to execute a development project; (*d*) an amount of R.400 crores at R.10 per capita of rural population should be allotted in the Fourth Development Plan for unspecified local development works to be given on a matching basis; and (*e*) a suitable penalty,

say 10 per cent. should be levied on all arrears of taxes and this penalty utilised by the Revenue Authorities for appointing special staff for collection of arrears.

KENYA – *Seven Year Plan for Nairobi City*

Nairobi City Council's Finance Committee has approved a Seven Year Capital Expenditure Programme involving a total of nearly £17,000,000 between now and the end of 1970. The programme includes projects such as water supplies, sewage and drainage, roads and bridges, health and education as well as the replacement of existing loans. Among the proposed schemes of road improvement are the provision of two fly-overs at important junctions in the City. Each fly-over will cost £150,000.

Book Reviews

THE NEW COMMONWEALTH AND ITS CONSTITUTIONS, by S. A. de Smith. *London: Stevens & Sons*, 1964; pp. xvi and 312; £2 5s.

The professed purpose of this book is to present to the reader a general survey of constitutional development in the newly self-governing and independent countries of the Commonwealth and to supply a reasonably up-to-date general analysis of the constitutional forms which have accompanied political change. The author in his preface states that it is a book that is not addressed exclusively or even, perhaps, primarily to lawyers, that he has tried to single out those trends and institutional forms which are of special interest to students of politics and constitutional law and that he has concentrated mainly upon those countries which have acquired new constitutions since 1957.

In his first chapter, Professor de Smith traces the effect of the Balfour formula of 1926 and the Statute of Westminster of 1931 on the relationship between the old Dominions and the United Kingdom and contrasts the Statute of Westminster with the post-war Acts of Parliament that have conferred independence on former British colonies. He then formulates what he described as the Basic Rules of the Commonwealth Association Today and explains how the Commonwealth works, listing some of the benefits that its component territories obtain from their membership. In his second chapter the author considers the dependent status of certain selected Commonwealth territories (in particular the Federation of Rhodesia and Nyasaland, Southern Rhodesia by itself and Nyasaland by itself in relation to its 1961 constitution) and contrasts their degrees of dependence. In the same chapter he also proceeds to a more general consideration of the territories concerned and the steps by which internal self-government and full independence have been achieved.

Chapters 3, 4 and 5 consist mainly of a comparative study of the constitutions of certain of the newly independent members of the Commonwealth with particular reference to the variations that have been made in the Westminster model. The author devotes one chapter each to the safeguards that have been erected against the abuse of majority power and to what he describes as Bills of Rights.

Chapter 6 is concerned exclusively with an examination of the subject of Presidentialism and Presidential Régimes, particular regard being paid to the position of Pakistan, Ghana and Tanganyika in this respect. Chapter 7 contains an outline treatise on the various kinds of federation found within the Commonwealth. Cyprus, which Professor de Smith considers to be in a class by itself, has the last chapter to itself. An Appendix to the volume deals with the constitutional developments which took place in October, 1963, in Nigeria, Uganda and Kenya after the main portion of the book had been written.

As the author makes clear and as the inclusion of the Appendix demonstrates the present trend of rapid constitutional change in the Commonwealth converts current topics into historical material within a very short time. He has therefore wisely confined his book within a comparatively small compass. It is to be hoped, however, that if and when settled days arrive, he will produce a more voluminous treatise or series of treatises on the themes with which he has here dealt briefly. The author has avoided those methods of comparison that would

have reduced his subject to aridity, and although interest and readability have brought in their train a certain formlessness in the arrangement of the material, no criticism should be levelled at the author on this score.

This is a work of major importance and of fascinating interest. Professor de Smith has shown us the Commonwealth as it is – a loosely knit international organization with certain unique characteristics which, notwithstanding its weak constitutional structure and lack of economic cohesion, unquestionably succeeds as a going concern. To many, this book will be a revelation and it should be read by all educated people in the Commonwealth who wish to know the true nature of the association to which they belong.

H. H. MARSHALL.

THE KING'S MEN, edited by L. A. Fallers. *Oxford University Press*, 1964; pp. xv + 409 and (index) 4; 22 plates, one map; 40s.

This study of leadership in Buganda is the composite work of a research team composed of Fellows of the East African Institute of Social Research and members of the History and Social Studies Department of Makerere College. The two principal contributors are Dr. Richards and Professor Fallers who, as Directors of the Institute, were responsible for the conception and direction of the East African leadership project which has produced the series of books in which this is the third. Those who are already familiar with the contribution – detailed and scholarly – which both Fallers and Richards have made to East African research (*Bantu Bureaucracy* and *East African Chiefs* at once come to mind) will expect a work which is penetrating, sympathetic and, above all, fair minded: in *The King's Men* they will not be disappointed.

First the changing economic structure of Buganda, that is to say the broad pattern of the distribution of its wealth during the last hundred years, is discussed in an interesting chapter by C. C. Wrigley. Fallers with his collaborators then examines social stratification or the class system in Buganda during the same period, showing that traditionally society was relatively fluid and that it was only after the 1900 Agreement that there came into existence a cohesive, hereditary upper class, formed from those who had fought in the religious wars and who had been the beneficiaries of the mailo distribution. Fortified by an exclusive education they were to hold their own until, in the face of egalitarian policies of the protecting power, their influence receded. The Busulu and Envujo Law of 1927 which, as Wrigley points out virtually vested the freehold of the mailo lands in the tenants in all but law, was probably the watershed.

In the next chapter, Southwold reveals the truly pitiable lot of the minor chief who, separated by what is now both a social and economic gulf from his seniors in the hierarchy and supported only by the *kitiibwa* of chiefly office and the forlorn hope of promotion has, on the one hand, to ensure that the orders of his superiors are carried out and on the other that he does not lose the good will of his people. Authority as exercised by father, chief and Kabaka is then examined by Richards. Such authority, whether of father, chief or king, appears to have been identical in kind, harsh and arbitrary, and yet accepted by the subordinate without resentment. The story of the Kabaka's exile and return has already been told several times, but Dr. Richard's account of it, which she gives as illustrating the characteristics of the political behaviour of the Baganda,

is of interest because of the new interpretation she gives of certain aspects of this unhappy affair. Of particular interest is her contention that there was no immediate declaration by the notables of the kingdom that they were the exiled Kabaka's men but rather that a long period of hesitancy ensued during which time it was still uncertain whether in fact another Kabaka would be installed. There then follows a chapter by a psychologist consisting largely of rather arid statistical data which seems scarcely in keeping with the rest of the book. The research on which *The King's Men* is based was carried out between 1953 and 1958. In an epilogue, however, Dr. Richards covers the years to independence in October, 1962.

To the student of East African affairs since the war there is no more remarkable and fascinating subject than the manner in which the kingdom of Buganda, with all the forces of history and contemporary political thought seemingly against her, succeeded, despite colonial administration and politician, in achieving virtually all her political aims and has emerged, her traditional social structure (or rather what the Baganda believe to be their traditional social structure) intact, as a cohesive and nationalistic state in a commanding position in the Uganda federation. To those who want to understand why this was possible, no better book could be recommended than *The King's Men*.

H. F. Morris.

THE CRIMINAL PROCEDURE CODE OF NORTHERN NIGERIA, by S. S. Richardson and T. H. Williams. *Sweet & Maxwell, London*, 1963; Law in Africa Series No. 7; pp. 491; 77s. 6d.

This book is a joint undertaking by Mr. S. S. Richardson, Director of the Institute of Administration at Zaria and previously Commissioner of Native Courts in Northern Nigeria, and Mr. T. H. Williams, the Chief Registrar of the High Court of Northern Nigeria. It has a foreword by the Chief Justice of Northern Nigeria, Sir Hugh Hurley, who recommends it to all persons concerned with the administration of criminal law in Northern Nigeria.

Although it consists of 491 pages, in effect over 200 of these are an appendix containing the Criminal Procedure Code Law.

The book closely follows the arrangement of this law and describes its main provisions in simpler, non-legal language. To that extent it will be of great use, as the authors point out in their preface, to students, police officers and Native Authorities in Northern Nigeria. It will also be particularly valuable to the Native Court Judges who are now required to be "guided" by the Criminal Procedure Code.

On the other hand I doubt whether practitioners and judges of the non-native courts in Northern Nigeria will be much assisted by this work. Only a handful of cases are cited and there is no attempt to make a detailed legal exposition of every section of the Code. It might have been helpful in this connection to make cross-references to sections of the Indian and Sudan Codes (from which this Code is derived) citing the relevant cases.

I also feel that the price of £3 17s. 6d. is too high, seeing that almost half the book is a reprint of the Criminal Procedure Code.

E. Cotran.

EVIDENCE IN NIGERIAN CRIMINAL LAW, by W. H. Dean, Deputy Superintendent, Criminal Investigation Department, Nigeria Police. *Sweet & Maxwell*, 1964; cloth bound 21s., and wrappered 12s. 6d.

The belief that every aspect of the law of Nigeria can be explained by reference to the law of England has long been held by many members of both the Bar and the Bench, and has proved an obstacle to the development of the indigenous law. Fearful delays in the reporting of cases, and the lack of any textbooks or collections of cases, except for the ancient Digest of Doorly's and Hammond's rare monograph, were the principal causes. Such a view can no longer be excused in view of recent years of law reporting, and the courageous venture of Sweet and Maxwell and Butterworth in launching numbers of textbooks on Nigerian law, one of the latest of which is this book on 'Evidence'.

The author sets out to contrast the variations between the law of Evidence as it is applied in England and in Nigeria. Such a task must be a valuable but an ambitious one. The author is a Superior Police Officer with long years of experience in England and in the key post of Head of the Detective Training School in Lagos. The police officer is so often an expert upon this branch of the law, a branch so difficult for the student to master, yet coming almost instinctively to those concerned in the administration of the criminal law. It is the practical side of topic which must be most familiar to the police officer, and on this aspect of the subject Mr. Dean gives a lucid and valuable exposition of such questions as the care of exhibits and the holding of identification parades.

There is much that is helpful in the sections dealing with the Judges' Rules and Confessions, and perhaps it is ungrateful to wish that there might have been more. A task such as this must be carefully approached, for the author has set himself to explain this difficult subject in 54 pages only, 76 of the rest are devoted to a reprint of the Act and another six to a glossary which does not really help. To achieve his ambition in 54 pages must result in drastic pruning of the subject.

In this the author has not been too successful. Anxious to give his readers as full an account of the subject as possible he has covered too much ground. The emphasis on subjects might have been better placed either to satisfy more fully the needs of the police officer or the lawyer. Since he has tried to satisfy both, I cannot help feeling that as a police officer I should find this book too obscure and as a lawyer I should find it too superficial, which is a pity as the object of the book is commendable.

I. G. McLEAN.

A HISTORY OF AFRICA, by Donald L. Wiedner; *G. Bell & Sons Ltd.*; 578 pp.; 60s. net.

This book sets out to give a history of Africa south of the Sahara, and it is only when one has read it that one realizes what a tremendous amount of history there is in that area. It becomes very clear that an immense amount of information has had to be left out to keep the book within its limits. As it is, the first 100 pages, that is less than one-fifth of the book, deals with "pre-European" Africa. The remainder of the book is an account of historical developments which have taken place since effective European control of the continent took place: and a large part of this deals with modern constitutional

changes. This treatment is, I suppose, inevitable, but it produces a distorted picture. The pre-European period (in many ways the most important part) is sketchy and the generalizations are therefore sweeping. When Dr. Wiedner reaches the European period he becomes more detailed and his work is more valuable. There is much assorted information but scarcely any deductions are made and few conclusions are reached. This is a pity as he has acquired great knowledge in his researches.

Quite a considerable amount of space is devoted to the Congo, as is warranted by its immense area, and the pattern of events leading up to the disastrous independence of that area is made very clear. The great tragedy is followed from its early beginnings under King Leopold until the present day. If it were only for this section the book is well worthwhile. But when one reads that Clapperton was with Lander when he reached the Niger Delta and that the 1954 Nigerian Constitution was a product of the Fabian Colonial Bureau, when it was of course entirely an African product, it makes one think just a little about other facts.

Dr. Wiedner advances the theory, to which I have only seen allusions before, that the human race had its origin in the area that is now Kenya. How much support this theory may have in circles which deal with this kind of thing, I do not know, but it seems to have certain weaknesses. He also develops the theory of original agricultural centres being in West Africa, which presupposes rather more easy methods of communication across the continent in those remote days than one would have thought possible. Did West Africa really influence the inhabitants of the Nile? It sounds very much more logical to think that it was the other way round. But it is conceivable that in some ways they did so, though obviously such influence must have been limited. So far there has not been enough archaeological exploration to open the book of the past for more than a few pages. There are many sites for research on the great lines of communication east and west, and north and south, which must be more fully explored before we know the answers to these questions, if indeed we ever do.

There are 35 maps in this book which are possibly the best part of the book itself. They give good visual representations of various developments. There is only one thing more enjoyable than seeing curved arrows on maps, and that is drawing them oneself! While they can be illuminating, if indeed an arrow can be illuminating, they can also be misleading, in that the curve may be wrong and not where it should be. On a small scale map, however, where the thickness of the arrow covers 100 miles or more, such minutiae do not really have much significance.

This is certainly a book which is worth looking at, and for those who want a quick survey of any particular area in Africa it can be recommended, provided it is always appreciated that such surveys must necessarily be very general and possibly misleading in their lack of detail.

REX NIVEN.

OTHER BOOKS RECEIVED

LOCAL GOVERNMENT YEAR BOOK (Northern Nigeria), 1963. *Prepared by the Department of Local Government, Institute of Administration, Zaria, and Gaskiya Corporation, Zaria, Nigeria*; pp. 105.

The Department of Local Government at the Zaria Institute of Administration is to be congratulated on the production, the first of its kind in Nigeria and possibly in Africa, of a Year Book giving very comprehensive facts and figures about the constitution, administration and finance of all the Native Authorities in Northern Nigeria. The facts, except where otherwise stated, are correct as at the 1st January, 1963.

This handbook will be of value to all students of local government in Northern Nigeria, to the administrator and other officials in the central and local governments as well as to the visitor whatever his purpose may be. It is to be hoped that similar productions can be published by other governments in and outside Africa. If these Year Books could be issued annually, they would build up an important record of local government not only of contemporary use but for historical research.

This book has been produced by the Institute in co-operation with the Graduate School of Public and International Affairs, University of Pittsburgh, U.S.A. and the U.S. Agency for International Development.

No price is quoted for the book and it is presumed to be a free issue.

BRITISH PUBLIC ADMINISTRATION: SELECT BIBLIOGRAPHY. *Prepared and published by the Royal Institute of Public Administration, 24 Park Crescent, London, W.1*, 1963; pp. 22; 7s. 6d.

This is a most useful select bibliography of public administration in Britain. It lists books and reports on general government and public administration; parliament, elections, political parties and pressure groups; the civil service; public finance, nationalized industries, local government, administrative law, the social services and management.

This publication will be invaluable to all educational institutions and students dealing with these subjects.

SIMPLE ACCOUNTING FOR VOLUNTARY ORGANIZATIONS, by Peter du Sautoy. *Oxford University Press, London, Nairobi, Ibadan, Accra*, 1964; pp. 51; no price quoted.

This small paper-back is intended to be a simple guide in the accountancy duties of a treasurer, who may never before have had to undertake such duties, of a small club or organization. For this limited purpose it should be useful. It is not intended for persons seeking a detailed or professional knowledge of book-keeping or accountancy.

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A NEW JOURNAL
on African law

The University of Ghana Law Journal

This new Journal, published on behalf of the Faculty of Law, The University of Ghana, by Sweet & Maxwell, has two primary aims. First it will be the hope of the editors and contributors, and the sponsors and publishers, that the legislators, judges, and lawyers of Ghana, and indeed all other African countries, will be aided in their important tasks by a scholarly Journal concerned with Ghanaian law and legal developments. Secondly there is an educational purpose, in that an opportunity will be provided to do research with the prospect of publication; a significant educational experience. The Journal will not of course be restricted to these purposes alone. The law of Ghana will be treated in a broad comparative framework and student writing will be supplemented by contributions of senior scholars from the University and from elsewhere.

The contents of the first issue are as follows:

Foreword, *Dean William B. Harvey*

Message from Osagyefo, The President of Ghana, on the Occasion of the First Enrolment of Lawyers at the Ghana School of Law

A Value Analysis of Ghanaian Legal Development Since Independence, *William Burnett Harvey*

The Alienation of Family Land in Ghana, *G. R. Woodman*

Insanity as a Defence under the Criminal Code, 1960 (Ghana), *Robert B. Seidman*

Stare Decisis in the Supreme Court of Ghana, *S. K. B. Andante*

To be published twice a year in Spring and Autumn. First Part Spring 1964. *Annual Subscription* 2 *guineas. Price per Part* 25*s.*

Law in Africa Series

The following titles are in preparation for publication in this important and growing series. Further details will be published on these Volumes in due course.

Criminal Law in Nigeria. Exluding the North. By C. Okonkwo and M. Naish.
Ghana Land Law. An Exposition, Analysis and Critique. By K. Bentsi-Enchill.
Nigerian Cases and Statutes on Contract and Tort. By J. L. McNeil and R. Rains.
The Law of Landlord and Tenant in Nigeria. By M. O. Onwuamaegbu.
The Law Governing Customary and Native Courts in Nigeria. By E. A. Keay and S. S. Richardson.

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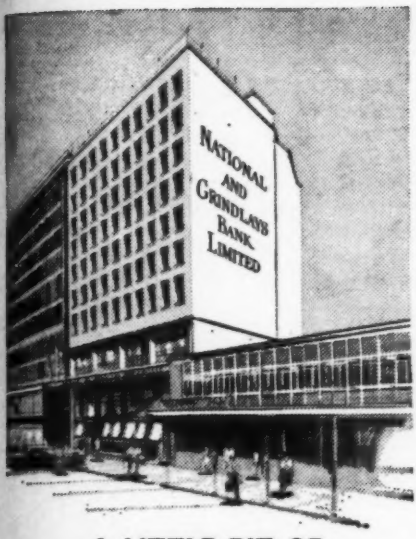

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